

Samuel A.A. Levine
Commissioner

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February __, 2026

[GYM HEALTH CLUB NAME]
[ADDRESS 1]
[ADDRESS 2]

To Whom It May Concern:

On January 5, 2026, Mayor Mamdani signed Executive Order No. 10 – Fighting Subscription Tricks and Traps (“EO 10”). EO 10 directs the Department of Consumer and Worker Protection (“DCWP” or the “Department”) “to monitor, investigate, and enforce violations related to subscription tricks and traps,” including practices such as making cancellation of subscriptions or memberships intentionally difficult. New Yorkers, already paying too much for daily expenses, face great difficulty managing these everyday services because of these illegal subscription traps. This has gone unchecked for too long.

The New York State General Business Law (“GBL”) requires all health clubs to “accept notice of cancellation of a membership through methods including, but not limited to, website, electronic mail, telephone, mail, or in person” and that “[i]f a health club allows a buyer to enter into a contract for services through a website, such health club shall accept a notice of cancellation of such contract through such website.” NYS GBL § 624(c)-(d). “Health club” is defined broadly to include any business that encourages or develops physical fitness, such as gyms, health spas, sports, tennis, racquet ball, and platform tennis clubs, as well as martial arts schools. NYS GBL § 621(2).

The law requires that a business provide the consumer with the option to cancel a subscription at any time that is as easy to use as the medium the consumer used to subscribe. The law also requires that even if a consumer enlists in-person, businesses must accept cancellation via telephone or an online mechanism. NYS GBL § 527-a(1)(d)-(d-1). Additionally, a business must receive affirmative consent from a consumer for a subscription and for any increase in price or for a higher price than what was disclosed at the time of subscribing. NYS GBL § 527-a(1)(b, b-1).

The Department is charged with enforcing the New York City Consumer Protection Law (“CPL”), which prohibits unfair trade practices, including deceptive or unconscionable trade practices. *See* Title 20, § 20-700 of New York City Administrative Code (“No person shall engage in any deceptive or unconscionable trade practice in the sale, lease, rental or loan or in the offering



for sale, lease, rental, or loan of any consumer goods or services, or in the collection of consumer debts.”).

The Department will not hesitate to rigorously enforce the Consumer Protection Law to ensure consumers are free of deceptive conduct when using gyms and health clubs. Any subscription tricks or traps that deprive consumers of their right to easily cancel a membership or subscription is harmful to consumers. Engaging in such deception is a violation and will result in civil penalties, as appropriate. We recommend you review your business’s policies and practices to ensure compliance.

Please take notice that DCWP is not singling out your company or suggesting that you have engaged in deceptive conduct. The Department is distributing similar letters and notices to businesses across industries.

Sincerely,

The New York City Department of Consumer and Worker Protection