

# Health club complaints increase

Complaints received by the Better Business Bureau for fitness clubs have increased more than 90 percent in the last five years. And according to a new analysis conducted by BBB, the most common complaints consumers have about fitness clubs focus on two related areas: contract disputes (41.5 percent) and billing issues (31.7 percent).

BBB has also seen a rise in complaints about fitness centers that sold memberships, only to go out of business a few weeks later (15.1 percent), leaving disgruntled customers behind trying to recover their advance payments.

"This time of year, many people are seeing the after-effects of those holiday meals and are resolving to join a gym to lose weight," said David Polino, BBB president. "The trends we're seeing in complaints against fitness clubs tell us that consumers need to read the fine print on the contract before they sign, and keep a close eye on their bank statements to make sure they're not getting billed more than they should be."

While some complaints regarding billing are basic billing errors, the majority of complaints center on being billed after the member felt his or her contract had expired. Many consumers either assumed their contract would not be re-

newed or filed the appropriate paperwork to cancel their membership but continued to have fees withdrawn from their bank accounts.

Contract dispute complaints vary but typically involve disagreements over promises made by the salesperson versus what the membership actually included, as well as the policy for getting out of the contract if the member relocated to another area.

More than 15 percent of complaints came from consumers whose fitness center either closed completely or changed management shortly after the person joined. The complainants typically wanted refunds for membership fees paid in advance or were dissatisfied with the new ownership and policies and wanted out of their contract.

"If you're looking at a gym, do your research with friends and family and check out the club's complaint record with BBB's free reliability reports," Polino said. "We have hundreds of health club reports consumers can view. What they find there could be an important aspect of their buying decision."

Polino said it is essential to make sure the facility meets the consumer's needs but equally important for people to know that the company can be trusted to be upfront about its plans and its contracts

and be competent with its billing process.

BBB offers the following advice to help consumers select a fitness facility.

- Check with BBB first. Go to [www.bbb.org](http://www.bbb.org) to find a list of fitness clubs in the area that are accredited by BBB, and find out what kind of a track record the company has for keeping customers satisfied.

- Determine fitness goals (build endurance, increase strength, become a better tennis player) and how to accomplish them (swimming, weight training, yoga). Considering these issues in advance will help the selection of a facility that is most appropriate. Serious health conditions should be discussed with a medical professional when setting fitness goals.

- Consider your budget. Most facilities charge an upfront membership fee to join and a monthly fee thereafter. What amount can you comfortably devote to physical fitness?

- Check out the facilities. Visit several different clubs on days and at times that you plan to exercise to see how crowded they are. Do the facilities offer the equipment, classes, amenities (child care, personal trainers) and hours of operation you require? Note the cleanliness and condition of the equipment, workout

area and locker room, as well as staff member availability.

- Ask around. Check with friends and family for recommendations. And when visiting fitness clubs, ask members about their experiences. Are they satisfied?

- Don't give in to pressure. Many clubs will be offering "New Year's specials." Walk away from clubs that pressure you to sign a contract on the spot. In fact, take a sample contract home to read it thoroughly.

- Read the entire contract. Does it list all services and facilities and the hours of operation? Is everything that the salesperson promised in the contract? What is included in the monthly fee, and what's going to cost you extra? What's the total cost and payment schedule, including enrollment fees and finance charges?

- Know the membership details. How long is the membership term, and is there an automatic renewal? Can you go month to month? Some facilities give customers several days to reconsider after signing the contract; if so, get it in writing. What are your cancellation rights if you move to another area, are injured or the club closes or is taken over by new management? Will the unused portion of your membership be refunded, and, if so, how and when? These details should all be in the contract.

## Taxes 101: steps to make filing easy this year

With more than 60,000 pages of tax code, preparing taxes can seem a bit daunting. But, by breaking the tax return into five simple steps, the task can be easier.

- Step 1: Know your filing status. Should you file married? Or, head of household? This may seem like the easiest part of the tax return, but there are some traps for the unwary. Keep in mind, if you were married as of Dec. 31, you're considered married all year. Generally, head of household is a filing status for single parents.

- Step 2: Report all income. Everything you earn during the year, including gambling winnings, is taxable and should be

reported as income. You're responsible for reporting income on your tax return even if you don't get a form reporting it for you. Remember, by reporting your income correctly now, you can help avoid a letter from the IRS later.

- Step 3: Factor your adjustments. Reduce the amount of taxes owed by factoring in deductions. Student loan interest, certain moving expenses, IRA deposits, and tuition and fees up to \$4,000 can all be deducted without itemizing. For those taxpayers who do itemize, don't forget to deduct — medical expenses, costs must be more than 7.5 percent of your income in order to claim. Mileage for medical visits can be deducted at a rate of 20

cents per mile. New York State Disability Credit (listed in Box 14 of your W-2). Charitable contributions, you must have receipts for even the smallest amounts. Work expenses, Uniforms, union dues, professional publications and fees can all be deducted if they total more than 2 percent of your income. Investment expenses, tax preparation costs, net losses on investment activity. These also must total more than 2 percent of income.

- Step 4: Take credit. While a deduction reduces the amount of income subject to tax, credits lower your tax bill dollar for dollar. Taxpayers can further decrease their tax liability by claiming these common credits:

- Child Tax Credit: Reduce your tax owed by \$1,000 if you have a child under the age of 17.

- Child Care Credit: If you pay child care fees while working or going to school, you're eligible for a credit of 20 percent to 35 percent of the amount paid up to \$3,000 for one child, or \$6,000 for two or more kids.

- Higher Education Credits: Paying college tuition may make you eligible for a tax benefit up to \$1,500 through the Hope Credit, and a savings of up to \$2,000 through the Lifetime Learning Credit.

- Residential Energy Credit: Efficient home improvements such as storm windows, a new furnace, or a new water heater, bring a tax

credit for tax year 2007.

- Mortgage interest and home equity lines of credit also may be deductible when you itemize. More on this in a future article.

- Step 5: Review. Once you've completed your return, help speed the delivery of your refund and prevent a letter from the IRS by: verifying all names and Social Security numbers are correct, ensuring all entries match your records, signing your return and both spouses should sign if you're married filing jointly.

For more information about smart tax filing, contact Mark Smith, an H&R Block tax professional in Amherst, at the University Plaza office by calling 838-9641.

## The Schwartz Group Inc. names changes in management team

The Schwartz Group, a provider of specialized tele-services to the pharmaceutical and health-care industries, has made changes to the management team and promoted three to positions of increased responsibility.

Karen Place of Getzville was named manager of client services. Place has been with The Schwartz Group since November.

Prior to relocating to Buffalo and joining The Schwartz Group, Place was an account director for several medical education companies in New Jersey. She has experience with various therapeutic areas and brings more than 12 years of

experience in pharmaceutical marketing, advertising and medical education.

Also, Beth Ciszak of Lancaster recently joined The Schwartz Group as manager of project quality-assurance, a newly created position. She has 10 years of national health-care marketing and operations experience.

Prior to joining The Schwartz Group, Ciszak held management positions for a national leader in the health-care industry that developed state-of-the-art medical treatment facilities. She also has significant experience in the creation of marketing and advertising campaigns for health

insurance providers and other clients within the health-care industry.

Nicholas Kopera of Williamsville has been promoted to senior campaign specialist. Since joining the company three years ago, Kopera has enhanced his responsibilities within the area of office management and campaign initiatives.

Also, William Schutter of Tonawanda and Katherine Pillich of Amherst were recently promoted to campaign specialist positions.

The Schwartz Group is located on John James Audubon Parkway in Amherst.

## Amherst man appointed to UB Council

Christopher J. O'Brien of Amherst, a principal in the law firm of O'Brien Boyd, has been appointed as a member of the University at Buffalo Council, the university's local governing council, by Gov. Eliot L. Spitzer.

O'Brien has handled a wide variety of personal injury cases, securing multimillion-dollar verdicts and settlements in a wide variety of personal injury cases. He has represented people hurt in car crashes, children who have been sexually assaulted and the estates of people who were killed by drunk drivers.

A past president of the Western Region Affiliate of the New York State Trial Lawyers Association, he is one of two lawyers in the state to have achieved the status of diplomat in the National College of Advocacy and is nationally known for his expertise in teaching trial technique. He regularly lectures for the American Association for Justice and for the National Institute for Trial Advocacy.

O'Brien has served as a volunteer trial team coach for a number of trial teams at the UB Law School and for several years co-taught a class at the school on "The Art and Science of the Jury Trial" with Judge Thomas P. Franczyk.

He has been active in a number of community organizations, including David's Dinner for Famine Relief, Buffalo Na Fianna Gaelic Football Club, Canisius High School Alumni Association Board of Directors, the Food Shuttle of Western New York Inc. and the Parish Council of St. Christopher's Roman Catholic Church, where he currently serves as president.