

(c) If a health club facility at which a buyer of health club services is provided with those services is closed for a period longer than 1 month through no fault of the buyer, the buyer is entitled to:

(1) Extend the membership contract for a period equal to the period during which the facility is closed; or

(2) A prorated refund of the amount paid by the buyer under the contract.

(d) (1) If the health club facility is closed through no fault of the seller, the choice of remedy described in subsection (c) of this section shall be made by the seller.

(2) If the health club facility is closed through the fault of the seller, the choice of a remedy described in subsection (c) of this section shall be made by the buyer.

-f-14-12B-05.

(a) If a health club facility is not in existence on the date the health club services agreement is executed ~~7~~: (1) the buyer may cancel the contract in the event the facility is not open for business on the date as provided by the agreement; AND

(2) THE BUYER MAY CANCEL THE CONTRACT WITHIN 3 BUSINESS DAYS AFTER THE OPENING OF THE FACILITY, OR AFTER RECEIVING NOTICE OF THE OPENING OF THE FACILITY, WHICHEVER COMES LATER, IN THE EVENT THE SERVICES OR FACILITIES ARE NOT AVAILABLE SUBSTANTIALLY AS DESCRIBED IN THE AGREEMENT.

(b) If the buyer cancels under this section, the health club facility shall refund any deposit, down payment, or payment on the agreement ~~---~~ INCLUDING ANY INITIATION, DEPOSIT, MEMBERSHIP, OR OTHER FEES.

[14-12B-04.] ~~14-12B-05~~ 14-12B-06.

(a) A health club services agreement may not contain an automatic renewal clause, unless the agreement provides for a renewal option for continued membership which must be accepted ~~AT THE TERMINATION OF THE CONTRACT~~ by the buyer.

(b) (1) ~~{A} EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~ A buyer described in § 14-12B-01(b)(1)(i) of this subtitle may cancel a health club services agreement within 3 business days after receipt of a copy of the agreement by notifying the health club in writing. Written notification shall be delivered in person or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, and if mailed shall be postmarked by midnight of the third business day.