



ENFORCEMENT AND INVESTOR PROTECTION DEPARTMENT

A D V I S O R Y

Based on the reports and information gathered by the Commission, **MARSY LUXURY STAYSCATION** is soliciting investments from the public. Verily, initial verification from the DTI Business Name Registration System (BNRS), **MARSY LUXURYS TAYSCATIONS REALTY** is a business name registered with the Department of Trade in favor of RACHEL MARSY AVELINO DIEGO with DTI Certification No. 5286178

MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION offers accommodation with amenities to the public through popular booking websites and other webpages for its one (1) unit with three (3) bedrooms located at 203 Pasadena, San Juan, Metro Manila.

As posted online, **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION** is offering investments with a minimum capital of PHP 50,000. Investors may earn 5% monthly fixed income and a contract with a lock-in period of six (6) months or twelve (12) months.

The public is being made aware that an "*investment contract*" exists when there is an investment or placement of money in a common enterprise with a reasonable expectation of profits to be derived from the efforts of others which is prominent in the scheme of **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION.**

As such, the Securities Regulation Code (SRC) requires that said offer and sale of securities must be duly registered with the Commission and that the concerned entity and/or its agents should have the appropriate registration and/or license to sell such securities to the public.

Based on the Commission's database, **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION** are NOT REGISTERED as a Corporation or a Partnership with the Commission. Likewise, **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION** have not secured prior registration and/or license to solicit investments from the Commission prescribed under Section 8 and 28 of the Securities Regulation Code (SRC).

Further, the scheme employed by **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION**, shows indication of a possible "**Ponzi Scheme**" where monies from new investors are used in paying "fake profits" to prior investors and is designed mainly to favor its top recruiters and prior risk takers and is detrimental to subsequent members in case of scarcity of new investors.

The offering and selling of securities in the form of investment contracts using the **“Ponzi Scheme”** which is fraudulent and unsustainable, is **NOT** a registrable security. The Commission will not issue a License to Sell Securities to the Public to persons or entities that are engaged in this business or scheme.

Moreover, **R.A. No. 11765** or the **Financial Products and Services Consumer Protection Act** (FCPA) prohibits the commission of “Investment fraud”, defined as any form of deceptive solicitation of investments from the public which includes Ponzi schemes and such other schemes involving the promise or offer of profits or returns sourced from the investments or contributions made by the investors themselves and the offering or selling of investment schemes to the public without a license or permit from the SEC.

In view thereof, the public is hereby advised **NOT TO INVEST** to **STOP INVESTING** in the investment scheme being offered by **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION**, and its **representatives**.

Those who act as salesmen, brokers, dealers, agents, representatives, promoters, recruiters, uplines, influencers, endorsers, abettors, and enablers of **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION**, in selling or convincing people to invest in the investment scheme being offered by the said entity including soliciting investments or recruiting investors through the internet may be held criminally liable under Section 11 of the RCPA and Section 28 of the SRC which are both penalized separately with a **maximum fine of Five Million Pesos (Php5,000,000.00) or imprisonment of Twenty One (21) years or both pursuant to Section 73 of the SRC** (*SEC vs. Oudine Santos, G.R. No. 195542, 19 March 2014*).

Furthermore, the names of all those involved will be reported to the Bureau of Internal Revenue (BIR) so that the appropriate penalties and/or taxes be correspondingly assessed.

Should you have any information regarding the operation of **MARSY LUXURYS TAYCATIONS REALTY / MARSY LUXURY STAYSCATION**, and its representatives, please send your report through email at epd@sec.gov.ph.

For the information and guidance of the public.

Makati City, 27 February 2024.