



Burke Successfully Defends Los Angeles Voters' Approval of Measure ULA

We're proud to share a major litigation victory on behalf of the City of Los Angeles—and, importantly, its voters and residents.

Congratulations to Burke partners [Kevin Siegel](#) and [Leah Castella](#), and associate [Eileen Ollivier](#), on their successful defense of Los Angeles voters' approval of Measure ULA, a critical funding mechanism for affordable housing and tenant assistance.

In January 2023, anti-tax litigants filed suits in both state and federal court seeking to overturn voters' approval of Measure ULA, a November 2022 ballot initiative imposing real property transfer taxes of 4% on transactions over \$5 million and 5.5% on those exceeding \$10 million, with proceeds dedicated to affordable housing and rental assistance programs.

The City of Los Angeles retained Burke to defend this vital measure, in collaboration with the City Attorney's Office. Together, we secured dismissals in both Los Angeles County Superior Court and the U.S. District Court for the Central District of California, defeating a range of claims, including that:

- Propositions 13, 62, and 218 prohibit voter-sponsored special tax measures
- The taxes violated equal protection and due process rights
- Measure ULA was preempted by California's real property transfer tax statutes

Plaintiffs appealed to the California Court of Appeal and the Ninth Circuit—and Burke prevailed again. Most notably, the team secured a unanimous, published decision from the California Second District Court of Appeal in *Howard Jarvis Taxpayers Assn. et al. v. City of Los Angeles* (2025) 116 Cal.App.5th 1208. The California Supreme Court denied review, and plaintiffs declined to seek review from the United States Supreme Court—bringing this litigation to a close.

This outcome represents a resounding victory for the City of Los Angeles and its voters, preserving a critical source of funding to support residents in need of affordable housing.

Congratulations to our Burke team and the City Attorney team, and to

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J. Leah Castella
Eileen L. Ollivier
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the City of Los Angeles and its voters and residents, on this significant win.