

Superior Court Judge Dismisses Lawsuits Against Measure ULA

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In a pro bono matter, Irell & Manella LLP, along with Public Counsel, secured a complete victory, when Superior Court Judge Barbara Scheper dismissed a consolidated challenge against Measure ULA, the largest affordable housing ballot initiative passed in Los Angeles history. The court found the "Plaintiffs fail to state facts sufficient to support any claim against any Defendant," and both cases were dismissed with prejudice.

Measure ULA was drafted and led by the United to House LA coalition and passed in November 2022 with overwhelming support from nearly 58 percent of Los Angeles voters. Measure ULA will generate hundreds of millions of dollars annually via a one-time real estate transfer tax on sales of properties over \$5 million. These funds will go toward programs that provide financial assistance to low-income seniors, rental assistance for tenants, the purchase of apartments and hotels for affordable housing, the construction of new affordable housing using both established and innovative models, and legal assistance for tenants threatened with eviction.

In December 2022, the Howard Jarvis Taxpayers Association and the Apartment Association of Greater Los Angeles filed a state court challenge to Measure ULA. In January 2023, Newcastle Courtyards LLC and the Mani Benabou Family Trust filed two additional challenges in state and federal court. The two state court actions were consolidated before the dismissal. The federal action was previously dismissed in September due to lack of jurisdiction under the Tax Injunction Act.

Irell and Public Counsel represented the Southern California Association of Nonprofit Housing, Koreatown Immigrant Workers Alliance and Service Employees International Union Local 2015, which were deeply involved in the development of Measure ULA and represent constituencies that would benefit from the measure's programs.

The Irell team included Morgan Chu, Michael Ermer, Dominik Slusarczyk, Charlotte Wen, Connor He-Schaefer, Skyler Terrebonne, Isabella Chestney and Ben Liu. The matter was argued by Connor He-Schaefer.