



STATE TAX COMMISSION OF MISSOURI

LYN MEDLEY)
)
 Complainant(s),)
) Appeal No. 23-32507
v.)
)
 TRAVIS WELGE, ASSESSOR,)
 ST. CHARLES COUNTY, MISSOURI,)
 Respondent.)

DECISION AND ORDER

Lyn Medley (Complainant) appealed valuation of the subject personal property determined by Travis Welge, Assessor, St. Charles County, Missouri (Respondent). Complainant appealed Respondent's determination of value before the St. Charles County Board of Equalization (BOE). Respondent determined the Fair Market Value of the 2019 Land Rover-Range Rover Sport Utility 4D to be \$69,825 with an assessed value of \$23,275. The BOE independently determined the value of the vehicle to be \$69,825 with an assessed value of \$23,275. Complainant claimed overvaluation but did not produce substantial and persuasive evidence establishing overvaluation.¹ Complainant did not appear at the hearing. Respondent was represented at the hearing by counsel,

¹ Complainant timely filed a complaint for review of assessment. The State Tax Commission (STC) has authority to hear and decide Complainant's appeal. Mo. Const. art. X, Section 14; section 138.430.1, RSMo 2000. All statutory citations are to RSMo 2000, as amended.

Michael Mueth. Complainant did not produce substantial and persuasive evidence to support the asserted claim of overvaluation. The determination of the BOE is affirmed.

Facts

The evidentiary hearing was held on August 8, 2024. Respondent appeared at the evidentiary hearing. Complainant did not appear or request a continuance of the hearing.

Complainant Did Not Prove Overvaluation

The Complainant bears the burden of proving the vital elements of the case, i.e., the assessment was “unlawful, unfair, improper, arbitrary or capricious.” *Westwood Partnership*, 103 S.W.3d 152 (Mo. App. E.D. 2003); *Daly v. P.D. George Co.*, 77 S.W.3d 645 (Mo. App E.D. 2002); *Reeves v. Snider*, 115 S.W.3d 375 (Mo. App. S.D. 2003); *Industrial Development Authority of Kansas City v. State Tax Commission of Missouri*, 804 S.W.2d 387, 392 (Mo. App. W.D. 1991). Complainant did not appear at the evidentiary hearing and produced no evidence admitted into the record to support the overvaluation claim. Complainant’s failure to appear and to present any evidence necessarily means Complainant fails to meet Complainant’s burden of proof. ²

CONCLUSION AND ORDER

The determination of the BOE is affirmed. The subject property was properly assessed at \$23,275 as of January 1, 2023, classified as personal property.

² For over 150 years, Missouri law has recognized the self-evident proposition that “if there be no evidence sufficient in law to make a prima facie case on this issue, plaintiff cannot be entitled to recover.” *Callahan v. Warne*, 40 Mo. 131, 135 (Mo. 1867).

Application for Review

A party may file with the State Tax Commission an application for review of this decision within 30 days of the mailing date set forth in the certificate of service for this decision. The application "shall contain specific detailed grounds upon which it is claimed the decision is erroneous." Section 138.432 R.S.Mo. The application must be in writing, and may be mailed to the State Tax Commission, P.O. Box 146, Jefferson City, MO 65102-0146, or emailed to Legal@stc.mo.gov. A copy of the application must be sent to each person listed below in the certificate of service.

Failure to state specific facts or law upon which the application for review is based will result in summary denial. Section 138.432 R.S.Mo.

Disputed Taxes

The Collector of St. Charles County, as well as the collectors of all affected political subdivisions therein, shall continue to hold the disputed taxes pending the possible filing of an application for review, unless said taxes have been disbursed pursuant to a court order under the provisions of section 139.031.

So ordered August 19th, 2024.
STATE TAX COMMISSION OF MISSOURI

Todd D. Wilson
Senior Hearing Officer

Certificate of Service

I hereby certify that a copy of the foregoing has been electronically mailed and/or sent by U.S. Mail on August 23, 2024, to:

Complainant(s) and/or Counsel for Complainant(s), the County Assessor and/or Counsel for Respondent, and County Collector.

Stacy Ingle
Legal Assistant