



STATE TAX COMMISSION OF MISSOURI

T-MOBILE CENTRAL, LLC,) Appeal No. 17-60500 & 17-60501
)
Complainant(s),)
)
v.)
)
)
LADONNA JONES, ASSESSOR,)
HOLT COUNTY, MISSOURI,)
Respondent.)

DECISION AND ORDER

T-Mobile Central, LLC. (Complainant) appeals the Holt County Board of Equalization's (BOE) decision determining the true value in money (TVM) of the subject commercial property as of January 1, 2017, alleging overvaluation. Complainant produced substantial and persuasive evidence of overvaluation and establish the TVM of the business personal property in these appeals as of January 1, 2017.¹

Complainant was represented by counsel, Lindsay Wuller and Mark Leadlove. Respondent was represented by counsel, Patricia Hughes. The evidentiary hearing was heard before Senior Hearing Officer John Treu. These matters were assigned to SHO Todd

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.

D. Wilson for decision on September 23, 2024.

The evidentiary hearing was held on October 10 and 11, 2018 at the Holt County Courthouse, Oregon, Missouri. A transcript was filed with the STC on January 18, 2019. On February 11, 2019, Complainant and Respondent each filed response briefs and on April 30, 2019, Complainant and Respondent each filed reply briefs. During briefing it was disclosed that T-Mobile Central, LLC has no employees and therefore acts through employees of T-Mobile USA. By Order dated May 1, 2019, the record was re-opened and Complainant was ordered to either: (1) present T-Mobile USA employees for deposition regarding access to original purchase records; or (2) arrange for Respondents to view original purchase records in a secure environment. Respondent viewed the records at T-Mobile's headquarters in Seattle, Washington. On January 27, 2020, an Order setting a Supplemental Evidentiary Hearing was issued. The Supplemental Evidentiary Hearing was held on October 22, 2020 at the Harry S. Truman Office Building, Jefferson City, Missouri.

FINDINGS OF FACT

1. Jurisdiction. Complainant timely filed an appeal with the STC, jurisdiction is proper.

2. Evidentiary Hearing. The issue of overvaluation was presented at an evidentiary hearing held on October 10 and 11, 2018 at the Holt County Courthouse, Oregon, Missouri. A supplemental hearing was held on October 22, 2020 at the Harry S. Truman Office Building, Jefferson City, Missouri. The supplemental hearing was held for the issue of whether purchase orders for the business personal property of Complainant

corresponded to the Work Breakdown Structure (WBS) report offered by Complainant at the original evidentiary hearing and relied upon by Jason Chao (Chao) of Ernst and Young in offering an opinion of the TVM of Complainant’s business personal property located at the sites in Holt County.

3. Subject Property. The subject property consists of two cell tower sites located in Holt County, Missouri. The subject property includes antennas, cabling, wireless network equipment, radio frequency equipment, and electronic and power equipment. Complainant does not own the tower. In Appeal 17-60500, Parcel #1180, (referred to by the parties as the Craig Site) the personal property was valued by the Assessor and the BOE at \$153,594 for its TVM. In appeal 17-60501, Parcel 1-1179, (referred to by the parties as the Oregon site) the personal property was valued by the Assessor and BOE at \$192,450 for its TVM.

4. Complainant’ Evidence. Complainant presented experts and testimony that the TVM of the subject properties as of January 1, 2017 were \$41,000 for the Craig Site and \$34,000 for the Oregon site. Complainant had prepared the following exhibits:

| Exhibit | Description of Exhibit | |
|---------|---|-------------------|
| A | Jason Chao Resume | Received |
| B | Ernst & Young Valuation Report with attachments | Received |
| D | Ernst & Young Work File | Not offered |
| E | 2017 PP Tax Declaration for Oregon Site | Received over obj |
| F | 2017 PP Tax Declaration for Craig Site | Received over obj |
| G | 2015 & 2016 PP tax declaration | Not offered |
| H | Lists of appealed property | Not offered |
| I | Fixed Asset Register (FAR) | Received over obj |
| J | Work Breakdown Structure (WBS) | Received over obj |
| K | Site Schematics | Received over obj |
| L | T-Mobile Asset Classes | Received over obj |

| | | |
|----|--|-------------------|
| M | IRS Lives Used for Tax Appreciation | Received over obj |
| N | Revenue Procedure 2011-22 | Received over obj |
| O | IRS Publication 946 | Received |
| R | U.S. Federal Tax Law Hierarchy Quick Reference Chart | Received over obj |
| S | Missouri Statutes 137.115 and 137.122 | Received |
| T | STC Missouri Assessor's Manual | Received |
| U | Coax Cable Pricing | Received |
| V | Complaint for Review – Oregon Site | Received |
| W | Complaint for Review – Craig Site | Received |
| X | Listing Identifying acquisitions | Not offered |
| Y | Listing Identifying removed or retired property | Not offered |
| Z | Insurance Information | Not offered |
| AA | Third Party Local Work Papers | Received |
| BB | Agreement between CTS and Holt County | Received |
| DD | CTS Analysis – 5/30/2017 | Received |
| EE | CTS Analysis – 4/30/2017 | Received |
| FF | Purchase Order Related Documents | Received |
| GG | Pictures 1180 produced by Assessor | Not offered |
| HH | July 13, 2018 Letter from LaDonna Jones to BOE | Not offered |
| II | Depo Exhibit 18: Shrewsbury Resume | Not offered |
| JJ | Depo Exhibit 15: Shrewsbury notes | Not offered |
| KK | Depo Exhibit 16: Shrewsbury notes | Not offered |
| LL | Depo Exhibit 17: Shrewsbury notes | Not offered |
| MM | Depo Exhibit 21: Shrewsbury notes | Not offered |
| NN | Depo Exhibit 22: Shrewsbury notes | Not offered |
| OO | Depo Exhibit 23: Shrewsbury notes | Not offered |
| PP | Depo Exhibit 24: Shrewsbury notes | Not offered |
| QQ | Depo Exhibit 26: Shrewsbury notes | Not offered |
| RR | Depo Exhibit 27: Shrewsbury notes | Not offered |

Complainant's original personal property returns, Exhibits E & F, set out values reported by Complainant on the first 7 pages of each exhibit. Exhibit E (Oregon site) lists TVM of \$12,367. Exhibit F (Craig Site) lists TVM of \$11,330. The assessor's values are on the final page of each exhibit and show cost of \$291,865 resulting in assessed value of \$64,150 for the Oregon site and cost of \$303,649 resulting in assessed value of \$51,170 for the Craig site. These were the initial filings and were amended by both parties.

Complainant's expert, Jason Chao of Ernst & Young, valued the items of property based on the concept of fair market value in exchange of TVM. Ernst & Young prepared a valuation report with an effective date of January 1, 2017. The report was authored by Jason Chao who is a Valuation Principle with Ernst & Young; Kevin Alvarado who is a valuation manager with Ernst & Young and is an accredited senior appraiser in Machinery and Technical Specialties; Olin Boyd, who is a valuation senior analyst of Ernst & Young which is a professional valuation firm. The report was reviewed by Robert Stall who is also a Valuation Principle with Ernst & Young and is an accredited senior appraiser, in Machinery and Technical Specialties. Mr. Chao testified on behalf of Ernst & Young.

Exhibit B was developed in the following manner: (1) analysis of T-Mobile's FAR and its WBS, as well as other documents exchanged between the parties in these appeals; (2) performance of detailed site inspections at the sites, which included a physical inventory of all of the personal property at each of the sites; (3) discussions with T-Mobile management, an engineering team, fixed asset accounting personnel, and the field technician responsible for the sites. Non-taxable items such as installation, sales tax and freight were excluded in accordance with Missouri statutes and case law, but did not exclude software costs. Any software on the site is co-mingled software and is embedded within the original cost of the equipment. For items noted during the physical inspection but which were not included on the WBS report, Chao accounted for them by other means. Chao relied upon the WBS report. He stated that it is typical to utilize records like the WBS report to perform valuation. Mr. Chao stated that as a publicly traded company, T-Mobile is required to be audited every year, therefore, it is reasonable to rely upon their

data and reports while still doing the physical inventory and cross checking the data. Ernst & Young determined that the original costs of the taxable personal property for the Craig site was \$77,123 and for the Oregon site was \$63,922.

Ernst & Young then applied the valuation methodology from Missouri statute section 137.122, which defines the life of the tangible personal property as “the class life of property as set out in the federal Modified Accelerated Cost Recovery System life tables or their successors under the Internal Revenue Code as amended.” The assets were then divided into specific asset categories and the applicable depreciation recovery periods were determined in accordance with IRS Revenue Procedure 2011-22, a publication specific to the wireless telecommunication industry. The depreciation was then calculated and the values reduced to arrive at the TVM of the Craig site of \$41,000 and the Oregon site of \$34,000.

Ernst & Young also performed a corroborative valuation using commonly accepted valuation techniques and its own internal knowledge of comparable assets. Using the cost approach in this manner, Ernst & Young determined that the corroborative value for the Craig site was \$43,000 and the corroborative value for the Oregon site was \$36,000. These values support the prior conclusions of TVM.

Complainant’s next witness was Dmitriy Matsyshen, a senior tax manager for T-Mobile. He indicated that he is involved in all stages of property taxation and familiar with the personal property held at the Craig and Oregon sites. (Transcript 150-151). Matsyshen testified that preparation of Exhibit L, the T-Mobile asset classes, was to assist in understanding the FAR, Exhibit I. (Transcript 153-156). Matsyshen testified as to

modifications that had to be made to the FAR to make it suitable for preparing the declaration of value, such as using “asset antenna systems” rather than “antenna structures” because at both sites, Complainant does not own the tower. (Transcript 157-158). Matsyshen further testified that in the preparation of the property tax rendition, the items on, Exhibit F, the cell site equipment, was divided into categories based on the useful life. (Transcript 165-167). Matsyshen testified that the WBS, Exhibit J, is a purchasing record created when T-Mobile Central, LLC makes a purchase from an outside vendor that lists various fields. (Transcript 170). Matsyshen stated that Exhibit O, IRS Publication 946, does not address the wireless industry recovery period well, but that Exhibit N, Revenue Procedure 2011-22 does and in accordance with the IRS hierarchy the Revenue Procedure is to be followed rather than Publication 946. He testified that Complainant follows the guidance of Revenue Procedure 2011-22 in the application of recovery periods and depreciation.

Complainant’s next witness was Stephen Yergeau, senior director for property tax at T-Mobile. Prior to working for T-Mobile, Yergeau worked for the Department of Revenue in the state of Washington where he managed its centrally assessed utilities function. He is a member of the International Association of Assessing Officials (IAAO), the Council of State Taxation, and the Western States Association of Tax Representatives. His job with T-Mobile is to oversee tax appeals.

Matsyshen, Brian Eldredge, and Shi Hsu testified at the supplemental hearing on the issue of purchase orders, how they related to the WBS report, and the manner in which they are accounted. They also testified about why certain accounting entries for labor and

other non-taxable items may have a certain asset class name for the item implying that it is physical equipment rather than a non-taxable item. During the supplemental evidentiary hearing Complainant produced evidence that equipment for which purchase orders existed, the purchase order amounts and the WBS matched almost exactly. The cost presented at hearing for items with invoices, (some items had no invoices) was \$188,516.38 as reflected in the WBS detail, while the actual invoices totaled \$188,592.32 a variance of .04%.

5. Respondent's Evidence. Respondent submitted the following exhibits:

| Exhibit # | Description | |
|-----------|--|----------------------|
| 1 | Mr. Shrewsbury's Inventory and valuation | Received |
| 2 | Assessor's work papers | Received |
| 3 | IRS Publication 946 (Same as Exhibit O) | Received |
| 4 | Report of LaDonna Jones | Received |
| 5 | IRS Broz v. Commissioner | Not offered |
| 6 | Slides, schematics and photographs | Received |
| 7 | Slides, schematics and photographs | Received |
| 8 | Fixed Asset Register (FAR) (Same as Ex I) | Received |
| 9 | Ms. Hobart's Qualifications | Offered not received |
| 10 | New York Article on valuation of towers | Excluded |
| 11 | Nevada Study on effective lives | Excluded |
| 12 | Assessment record of NW MO Cellular | Not offered |
| 13 | Valuations of all cell towers in Holt County by Cell Tower Solutions | Excluded |
| 14 | 2012 – 2016 T-Mobile Declarations for Holt County | Received |
| 15 | T-Mobile 10K SEC filing | Received |
| 16 | Data regarding number of 4G subscribers | Not offered |
| 17 | Wesbel website pages | Not offered |
| 18 | Chart Shrewsbury drew | Received |
| 19 | T-Mobile Declarations 2015 to 2020 Oregon site | Not offered |
| 20 | Illustration of Andrew antenna system | Excluded |
| 27 | Google search on Ericson Service Package | Excluded |
| 28 | T-Mobile Internet Document | Received |

Respondent attempted to offer testimony of Lisa A. Hobart, a purported expert in

valuation. Ms. Hobart has a Bachelor's degree in accounting, a master's degree in administration, experience as the chief assessor of West Bloomfield Township and the City of Detroit. She holds the designation as an ASA with the American Society of Appraisers and holds a certified assessment evaluator designation with the International Association of Assessing Officers (IAAO) and a personal property specialist designation with the same organization and teaches extensively for IAAO. Hearing Officer Treu excluded her testimony as he had issued an Order limiting her testimony to rebuttal and then interpreted her proposed testimony as evidence that should have been in Respondent's case in chief, rather than rebuttal.

Respondent presented testimony from Chris Shrewsbury. Mr. Shrewsbury has a bachelor's degree in electrical engineering and experience in the field of telecommunication. He works for Cell Tower Solutions (CTS). CTS is a consulting company that assists clients, often local government agencies and assessors, in (1) identifying telecommunication equipment in their areas; (2) creating a viable equipment list for each site; and (3) estimating original cost of the equipment and age of installation. Respondent and CTS entered into an agreement, Exhibit BB, for CTS to determine the cost for all the cellular sites in Holt County, Missouri. Section 5 of the agreement between CTS and the county sets out that CTS will reduce its fee by 25% if the increased taxes received by Respondent as a result of the valuations by CTS do not equal the cost of its services. Determining the cost was completed by visiting the sites, making observations from outside the fence line of the sites and taking photographs of the sites. The observations and photographs were then used along with the experience and training of Mr. Shrewsbury to

arrive at an approximation of the taxable personal property at the site and the year in which it was implemented. Respondent adopted the values as determined by CTS and applied a useful life determination in accordance with IRS Publication 946.

Mr. Shrewsbury admitted that he is not an appraiser and that his rendition of the original cost of the cell tower was not an appraisal, but simply an estimate of costs of the equipment required to make a cell tower operate based upon his experience in the industry. Mr. Shrewsbury agreed that Complainant had offered to allow him access inside the sites, but the offer was a year after it was requested and after the CTS report had been used by Respondent for assessment purposes. Mr. Shrewsbury stated that during the discovery process, upon reviewing information provided by Complainant, he was made aware of other property located at the site and, thereafter, amended his estimate of cost. This caused a proposed increase of approximately 21% for one site and 65% for the other site.

Respondent testified that the reason CTS was hired by the county was the inconsistency in the personal property tax return filings of Complainant on a year to year basis. (Transcript 204-205). Respondent stated that she had reached out to Complainant for clarification and was told that more information would be sent, but was never received by Respondent. Respondent testified that she did not believe that the TVM reported by Complainant reflected the true costs of the equipment at the sites based on her experience with other cell sites. Hearing officer Treu excluded Respondent's proposed Exhibit 13 which is a listing of all the cell sites in Holt County, for lack of relevance.

To determine depreciation of the assets, Respondent initially applied useful lives of 10 and 20 years to the personal property, but contended at the hearing that 15 years is the

appropriate recovery life for all personal property at the sites. Respondent relied upon asset class 48.14 described as “telephone distribution plant” from IRS Publication 946 for a 15 year life. This asset class includes assets such as: pole lines, cable, aerial wire, underground conduits, and comparable equipment. Respondent did not use IRS Revenue Procedure 2011-22 to determine depreciation of the personal property.

6. Value. The TVM of the subject property as of January 1, 2017 is as follows:

Appeal 17-60500 (Craig site) TVM = \$41,000; Assessed value \$13,666

Appeal 17-60501 (Oregon site) TVM = \$34,000; Assessed value \$11,333.

CONCLUSIONS OF LAW

1. Assessment and Valuation

Pursuant to Article X, Sections 4(a) and 4(b), Mo. Const. of 1945 real property and tangible personal property is assessed at its value or such percentage of its value as may be fixed by law for each class and for each subclass. Article X, Sections 4(a) and 4(b), Mo. Const. of 1945. Personal property is assessed at 33.33% of its TVM as of January 1 of each odd-numbered year. Section 137.115. "True value in money is the fair market value of the property on the valuation date and is a function of its highest and best use, which is the use of the property which will produce the greatest return in the reasonably near future." *Snider v. Casino Aztar/Aztar Mo. Gaming Corp.*, 156 S.W.3d 341, 346 (Mo. banc 2005) (internal quotation omitted). The fair market value is "the price which the property would bring from a willing buyer when offered for sale by a willing seller." *Mo. Baptist*

Children's Home v. State Tax Comm'n, 867 S.W.2d 510, 512 (Mo. banc 1993). Determining the TVM is a factual issue for the STC. *Cohen v. Bushmeyer*, 251 S.W.3d 345, 348 (Mo. App. E.D. 2008). The "proper methods of valuation and assessment of property are delegated to the Commission." *Savage v. State Tax Comm'n*, 722 S.W.2d 72, 75 (Mo. banc 1986).

2. Evidence

The hearing officer is the finder of fact and determines the credibility and weight of the evidence. *Kelly v. Mo. Dep't of Soc. Servs., Family Support Div.*, 456 S.W.3d 107, 111 (Mo. App. W.D. 2015). The finder of fact in an administrative hearing determines the credibility and weight of expert testimony. *Hornbeck v. Spectra Painting, Inc.*, 370 S.W.3d 624, 632 (Mo. banc 2012). "It is within the purview of the hearing officer to determine the method of valuation to be adopted in a given case." *Tibbs v. Poplar Bluff Assocs. I, L.P.*, 599 S.W.3d 1, 9 (Mo. App. S.D. 2020). The hearing officer "may inquire of the owner of the property or of any other party to the appeal regarding any matter or issue relevant to the valuation, subclassification or assessment of the property." Section 138.430.2. The Hearing Officer's decision regarding the assessment or valuation of the property may be based solely upon his inquiry and any evidence presented by the parties, or based solely upon evidence presented by the parties. *Id.*

3. Complainant's Burden of Proof

The BOE's valuation is presumptively correct. *Rinehart v. Laclede Gas Co.*, 607 S.W.3d 220, 227 (Mo. App. W.D. 2020). To prove overvaluation, a taxpayer must rebut the BOE's presumptively correct valuation and prove the "value that should have been

placed on the property." *Snider*, 156 S.W.3d at 346. The taxpayer's evidence must be both "substantial and persuasive." *Id.* "Substantial evidence is that evidence which, if true, has probative force upon the issues, and from which the trier of fact can reasonably decide the case on the fact issues." *Savage*, 722 S.W.2d at 77 (internal quotation omitted). Evidence is persuasive when it has "sufficient weight and probative value to convince the trier of fact." *Daly v. P.D. George Co.*, 77 S.W.3d 645, 651 (Mo. App. E.D. 2002); *see also White v. Dir. of Revenue*, 321 S.W.3d 298, 305 (Mo. banc 2010) (noting the burden of persuasion is the "party's duty to convince the factfinder to view the facts in a way that favors that party"). A taxpayer does not meet his burden if evidence on any essential element of his case leaves the STC "in the nebulous twilight of speculation, conjecture and surmise." *See, Rossman v. G.G.C. Corp. of Missouri*, 596 S.W.2d 469, 471 (Mo. App. 1980).

4. Section 137.122

Section 137.122 provides a statutory standardized methodology for estimating the value of business personal property for mass appraisal purposes relying upon the federal MACRS life tables to determine the appropriate "class life" of depreciable tangible personal property used in a trade or business or for production of income to establish uniformity in the assessment of depreciable tangible personal property. Section 37.122 applies to business personal property placed in service after January 2, 2006. The methodology presented by Section 137.122 is a cost approach to value with more than straight line (normal) depreciation. For property placed in service after January 2, 2006, the valuation under Section 137.122 is presumed to be correct but can be "disproved by substantial and persuasive evidence of the true value in money under any method

determined by the state tax commission to be correct. . . “ For the purposes of this appeal, salvage or scrap value can only be applied to property not actually in use. For property placed in service prior to January 2, 2006, there is no presumption that the Section 137.122 methodology is correct, although assessors are not precluded from using such a methodology.

“Business personal property” is tangible personal property that is used in a trade or business for the production of income and that has a determinable life of longer than one year, including supplies used by the business, but not livestock; farm machinery; grain and other agricultural crops in an unmanufactured condition; property subject to the motor vehicle registration provisions of Chapter 301; property assessed under Section 137.078 (broadcasting equipment); the property of rural electric cooperatives under Chapter 394; or property assessed by the STC under Chapters 151 (railroads), 153 (bridge, express, public utilities), and 155 (aircraft), and Section 137.022 and Section 137.1000 to 137.1030 (private car companies). Section 137.122.1.

Each assessor shall use the standardized schedule of depreciation in this section to determine the assessed valuation of depreciable tangible personal property for the purpose of estimating the value of such property subject to taxation under this chapter. Section 137.122.2. The assessor shall apply the class life and recovery period of the original cost of the property according to the depreciation schedule. Section 137.122.3. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of

the respective succeeding year. Id. Depreciable tangible personal property in all recovery periods shall continue in subsequent years to have the depreciation factor last listed in the appropriate column so long as it is owned or held by the taxpayer. Id.

“Class Life” is defined as the class life of property as set out in the federal MACRS life tables or their successors under the Internal Revenue Code as amended. Section 137.122.1(2). “Original Cost” is defined as the price the current owner, the taxpayer, paid for the item without freight, installation or sales or use tax. Section 137.122(4). “Placed in service” is defined as when the property is ready and available for a specific use, whether in a business activity, an income-producing activity, a tax-exempt activity, or a personal activity. Section 137.122(5). Even if the property is not being used, the property is in service when it is ready and available for its specific use. Id.

Such estimate of value determined under this section shall be presumed to be correct for the purpose of determining the true value in money of the depreciable tangible personal property, but such estimation may be disproved by substantial and persuasive evidence of the true value in money under any method determined by the state tax commission to be correct, including, but not limited to, an appraisal of the tangible personal property specifically utilizing generally accepted appraisal techniques, and contained in a narrative appraisal report in accordance with the Uniform Standards of Professional Appraisal Practice or by proof of economic or functional obsolescence or evidence of excessive physical deterioration. Section 137.122.4. For purposes of appeal of the provisions of this section, the salvage or scrap value of depreciable tangible personal property may only be considered if the property is not in use as of the assessment date. Id.

5. Cost Approach.

In its simplest form, the cost approach is the current cost of the subject property as if new less all forms of depreciation. Cost can be original acquisition, replacement or reproduction cost. Cost estimation is not an exact science.

6. Discussion.

In this appeal, both parties presented substantial evidence to support their opinions of the value of the subject property as of January 1, 2017. Substantial evidence is that which is relevant, adequate, and reasonably supports a conclusion. *Cupples Hess Corp. v. State Tax Commission*, 329 S.W.2d 696, at 702. However, given the evidence in the whole record, only Complainant's evidence of value was both substantial and persuasive. Persuasive evidence is that which causes the trier of fact to believe more likely than not, the conclusion advocated is the correct conclusion. Id.

The declaration originally filed by Complainant was not correct and underestimated the value of the personal property at the site, however, the valuation presented by Ernst & Young after completing a detailed physical inspection and inventory was correct. The values proposed by Complainant in this appeal derived from T-Mobile's WBS report and then the physical inspection and inventory completed by Ernst & Young. The items were then depreciated in accordance with IRS Revenue Procedure 2011-22, which is specific to the wireless telecommunication industry. The evidence of valuation presented by Complainant was persuasive.

In contrast, Respondent proposed costs as presented by CTS which were derived by making informed assumptions about what items of personal property are located at the

sites, the costs of those items and the dates placed in service. This information was adjusted throughout the process of the appeal. The items were then depreciated in accordance with IRS publication 946 which is not specific to the wireless telecommunication industry. These factors make Respondent's opinion of value unpersuasive.

CONCLUSION AND ORDER

The BOE decision is Set Aside. The TVM of the subject property as of January 1, 2017 is as follows:

Appeal 17-60500 (Craig site) TVM = \$41,000; Assessed value \$13,666

Appeal 17-60501 (Oregon site) TVM = \$34,000; Assessed value \$11,333.

Application for Review

A party may file with the 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. 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.

Disputed Taxes

The Collector of Holt 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 January 24, 2025.

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 January 24th, 2025, to:

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

Stacy M. Ingle
Legal Assistant