



# STATE TAX COMMISSION OF MISSOURI

THOMAS & ELIZABETH LOOBY,	)	Appeal No. 23-10718
	)	Parcel No. B2314187
Complainant(s),	)	
	)	
v.	)	
	)	
JAKE ZIMMERMAN, ASSESSOR,	)	
ST. LOUIS COUNTY, MISSOURI,	)	
	)	
Respondent.	)	

## DECISION AND ORDER

Thomas and Elizabeth Looby (Complainants) appeal the St. Louis County Board of Equalization's (BOE) decision finding the true value in money (TVM) of the subject property on January 1, 2023, was \$400,000. Complainants allege overvaluation and claim that the TVM as of that date was \$385,000.<sup>1</sup> Complainants did not produce substantial and persuasive evidence of overvaluation. The BOE decision is affirmed. The TVM of the subject property on January 1, 2023, was \$400,000.

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<sup>1</sup> 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, sec. 14; Section 138.430.1, RSMo 2000. All statutory citations are to RSMo 2000, as amended.

The evidentiary hearing was held on June 2, 2025, via Webex. Complainants appeared *pro se* via Webex. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Steve Robson who appeared via Webex. The appeal was heard and decided by Senior Hearing Officer Samuel Knapper.

### **FINDINGS OF FACT**

**1. The Subject Property.** The subject residential real property is located at 2211 Meramac Oak Ln., Fenton, Missouri with a Parcel ID of B2314187.

**2. Assessment and Valuation.** Respondent classified the subject property as residential and determined the TVM on January 1, 2023, was \$431,500. The BOE independently determined the TVM of the subject property as of January 1, 2023, was \$400,000.

**3. Complainants' Evidence.** Complainants introduced the following Exhibit which was admitted without objection:

<b>Exhibit</b>	<b>Description</b>
A	Pdf prepared by Complainants. Pdf has aerial, exterior and interior photos of subject property as well as residential specifications. Pdf also contains aerial, interior and exterior photos as well as specifications of a comparable property (2219 Meramec Oak Ln.).

Complainants testified that the TVM of the property subject increased by \$133,000 from 2021 to 2023. Complainants also testified that their property was compared to a nearby recently sold property but thought such a comparison was unfair due to dissimilar

features between the properties. Some of the dissimilar features included but were not limited to the following: (1) the number of half bathrooms, (2) living space (square footage), (3) lot size, (4) number of rooms, and (5) walkout basement. Complainants also testified that they have not had added any improvements to their house. Complainants also testified that the county information relating to their property contained two errors, which were (1) the number of half bathrooms (1 instead of 2) and (2) the number of rooms in the house (8 instead of 9). Complainants testified that they did not understand why their tax burden increased. Complainants testified that their TVM increased the most in their neighborhood (from 2021 to 2023) and do not understand how this occurred considering that their home is not the nicest (amount of livable space, lot size, features, etc.) nor does it have the best curb appeal.

Upon cross examination the Complainants testified that they purchased the subject property in March of 2020 for \$365,000. Complainants testified that the information relating to the comparable sale in *Exhibit A* was appraised for \$378,000 and sold for \$395,000. Complainants also testified that they are not licensed appraisers nor have they received training in making adjustments between properties to ascertain value of properties.

**4. Respondent's Evidence.** Respondent introduced Exhibit 1, the BOE's October 17, 2023, Decision Letter. Complainant did not object. Respondent's Exhibit 1 was admitted into evidence.

**5. Value.** The TVM of the subject property as of January 1, 2023, was \$400,000.

## 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. Residential real property is assessed at 19% of its TVM as of January 1 of each odd-numbered year. Section 137.115.5(1)(a). The TVM is "the fair market value of the property on the valuation date[.]" *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). "True value in money is defined in terms of value in exchange not value in use." *Tibbs v. Poplar Bluff Assocs. I, L.P.*, 599 S.W.3d 1, 7 (Mo. App. S.D. 2020) (internal quotation omitted). "Determining the true value in money is an issue of fact for the STC." *Cohen v. Bushmeyer*, 251 S.W.3d 345, 348 (Mo. App. E.D. 2008).

"For purposes of levying property taxes, the value of real property is typically determined using one or more of three generally accepted approaches." *Snider*, 156 S.W.3d at 346. The three generally accepted approaches are the cost approach, the income approach, and the comparable sales approach. *Id.* at 346-48. The STC has wide discretion in selecting the appropriate valuation method but "cannot base its decision on opinion evidence that fails to consider information that should have been considered under a particular valuation approach." *Id.*, at 348.

The comparable sales approach “is most appropriate when there is an active market for the type of property at issue such that sufficient data are available to make a comparative analysis.” *Snider*, 156 S.W.3d at 348. For this reason, the comparable sales approach is typically used to value residential property. “The comparable sales approach uses prices paid for similar properties in arms-length transactions and adjusts those prices to account for differences between the properties.” *Id.* at 347-48 (internal quotation omitted). “Comparable sales consist of evidence of sales reasonably related in time and distance and involve land comparable in character.” *Id.* at 348.

**2. Evidence.** “Although technical rules of evidence are not controlling in administrative hearings, fundamental rules of evidence are applicable.” *Mo. Church of Scientology v. State Tax Comm’n*, 560 S.W.2d 837, 839 (Mo. banc 1977). 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). “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. Complainants’ Burden of Proof.** The taxpayer bears the burden of proof and

must show by a preponderance of the evidence that the property was overvalued. *Westwood P'ship v. Gogarty*, 103 S.W.3d 152, 161 (Mo. App. E.D. 2003). The BOE's valuation is presumptively correct. *Tibbs*, 599 S.W.3d at 7. The "taxpayer may rebut this presumption by presenting substantial and persuasive evidence that the valuation is erroneous." *Id.* (internal quotation omitted). The taxpayer also must prove "the value that should have been placed on the property." *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 v. State Tax Comm'n*, 722 S.W.2d 72, 77 (Mo. banc 1986) (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 fact-finder to view the facts in a way that favors that party").

#### **4. Complainants Did Not Produce Substantial and Persuasive Evidence of Overvaluation.**

Complainants did not produce substantial and persuasive evidence rebutting the presumptively correct BOE value. Complainants did not produce substantial and persuasive evidence to support their opinion of value of \$385,000 for the subject property as of January 1, 2023. Complainants did not produce evidence comprising of a comparable sales approach, income approach, or cost approach to value.

The comparable sales approach is typically used to value residential properties

improved with a single-family home. "The comparable sales approach uses prices paid for similar properties in arms-length transactions and adjusts those prices to account for differences between the properties." *Snider*, 156 S.W.3d at 347-48 (internal quotation omitted). In this case the Complainants offered one comparable sale; however, they did not perform any adjustments between the properties to calculate an accurate TVM of the subject property based upon such a comparison. The Complainants did not hire a professional or personally perform the necessary analysis needed to rebut the BOE's presumption through a comparable sale.

The lack of evidence relating to a recognized valuation method renders Complainants' proposed value speculative and unpersuasive. *See Cohen*, 251 S.W.3d at 349 (holding an opinion of value loses probative value when based on an improper foundation). Complainants did not produce substantial and persuasive evidence showing the BOE overvalued the subject property and "the value that should have been placed on the property." *Tibbs*, 599 S.W.3d at 7.

## **CONCLUSION AND ORDER**

The BOE decision is affirmed. The TVM of the subject property as of January 1, 2023, was \$400,000.

### **Application for Review**

A party may file 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 of Missouri, 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 St. Louis County, and 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 the disputed taxes have been disbursed pursuant to a court order under the provisions of section 139.031.

SO ORDERED October 3, 2025.

STATE TAX COMMISSION OF MISSOURI

Samuel Knapper  
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 October 3rd, 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