

Respondent appeared through counsel Tim Bowe.

1. Subject Property and Respondent's Evidence. Complainant reported owning a 2018 Jeep Cherokee on January 1, 2022. Assessor valued the property at \$17,550, and in accordance with law, assessed the property at 33 1/3% of its value, for an assessed value of \$5,850.

Complainant also reported owning a 2009 Dodge Challenger on January 1, 2022. Assessor valued the property at \$6,975, with an assessed value of \$2,320.

In both instances, as required by Section 137.115.9, the Assessor used the average trade-in value for the vehicles in effect on January 1, 2022, as shown in the October, 2021 issue of the J.D. Power Used Car Guide (successor publication to the National Automobile Dealers' Association Official Used Car Guide) pursuant to Section 137.115.9. Respondent's Exhibits 1 and 2, copies of the relevant portions of the used car guides, were admitted into evidence.

2. Complainant's Evidence. Complainant testified that she is not challenging the assessment of the Jeep. She seeks reduction in assessment of the Dodge due to its age and condition. Specifically, she testified and presented credible evidence that the vehicle had been in two accidents, both times incurring minor to moderate damage which has been repaired. However, although the vehicle had less than 110,000 miles on January 1, 2022, the vehicle needs repair to its rack-and-pinion steering system at a cost to repair of \$1,000. The defect does not prevent the car from passing safety inspection but it detracts somewhat from its value.

3. Assessment Principles

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 year. Section 137.115.5. Pursuant to Section 137.115.9 “[t]he assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers’ Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of the motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the vehicle without performing a physical inspection of the motor vehicle. ...”.

4. Evaluation of 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.*

5. Complainant's Burden of Proof

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). 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 fact-finder 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. Complainant Did Not Prove Overvaluation of the 2018 Jeep Cherokee.

Complainant has not sought to challenge Assessor's valuation of the 2018 Jeep Cherokee which the Assessor valued in compliance with Section 137.115.9.

4. Complainant Did Prove Overvaluation of the 2009 Dodge Challenger.

At the time of his assessment, Assessor was unaware that the Dodge needed repair to its steering system at a cost of \$1,000. Assessor agreed with Complainant that the vehicle was, therefore, overvalued, and proposed a valuation reduction, from \$6,975 to \$6,810. Complainant did not propose an alternate valuation.

CONCLUSION AND ORDER

The TVM of the 2018 Jeep Cherokee on January 1, 2022 was \$17,550, having an assessed value of \$5,850.

The TVM of the 2009 Dodge Challenger on January 1, 2022 was \$6,810, having an assessed value of \$2,270.

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 St. Louis 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 November 20, 2025.

STATE TAX COMMISSION OF MISSOURI

Gregory Allsberry
Chief Counsel

Certificate of Service

I hereby certify that a copy of the foregoing has been electronically mailed and/or sent by U.S. Mail on November 21, 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