



STATE TAX COMMISSION OF MISSOURI

BRIAN PHILIP CASSIDY	)	
	)	
Complainant(s),	)	
	)	Appeal No. 22-10579
v.	)	Parcel ID No. I00929589
	)	
JAKE ZIMMERMAN, ASSESSOR,	)	
ST. LOUIS COUNTY, MISSOURI,	)	
Respondent.	)	

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER AFFIRMING THE ASSESSOR'S VALUATION

Brian Philip Cassidy (Complainant) appealed the St. Louis County Assessor's valuation of two motor vehicles classified as personal property, namely, a 2008 Volvo C70 and a 2019 Chevrolet Tahoe. The Complainant did not produce substantial and persuasive evidence establishing overvaluation of the subject properties as of January 1, 2022. The decision of the St. Louis County Assessor is affirmed.¹ Complainant appeared *pro se*. Respondent appeared through counsel Tim Bowe.

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.

1. Subject Property and Respondent's Evidence. Complainant reported owning a 2008 Volvo C70 on January 1, 2022. Assessor determined the true value in money (TVM) of the property to be \$2,550, and in accordance with law, assessed the property at 33 1/3% of its value, for an assessed value of \$850.

Complainant also reported owning a 2019 Chevrolet Tahoe on January 1, 2022. Assessor determined the TVM of the property to be \$46,850 (using average trade-in value), with an assessed value of \$15,620.

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.

Assessor submitted the following which were admitted into evidence:

Respondent's Exhibit 1	J.D. Power October 2021 re 2019 Chevrolet Tahoe
Respondent's Exhibit 2	J.D. Power October 2021 re 2008 Volvo C70
Respondent's Exhibit 3	J.D. Power 2019 Chevrolet Tahoe Vehicle Information sheet
Respondent's Exhibit 4	NADA guide definitions for average and rough conditions

2. Complainant's Evidence.

In his appeal, Complainant challenged the Assessor's valuation of the 2019 Chevrolet Tahoe. Complainant submitted the following which were admitted into evidence:

Complainant's Exhibit 1	Vehicle Information re 2019 Chevrolet Tahoe
Complainant's Exhibit 2	AutoCheck information re accident on May 10, 2019 in Greensboro, NC
Complainant's Exhibit 3	Carfax report re 2019 Chevrolet Tahoe showing it as a former rental vehicle
Complainant's Exhibit 4	Bill of Sale to Brian P. Cassidy on May 5, 2020 for \$38,999 re 2019 Chevrolet Tahoe Mileage 38,759

Complainant established that as of October 9, 2018, the Chevrolet was registered and used as a rental vehicle. It was involved in an accident on May 10, 2019 I Greensboro, North Carolina. The vehicle was sold on March 13, 2020 after being used in a rental fleet for 18 months. Complainant purchased the vehicle on May 5, 2020 for \$38,999.

Complainant testified that the vehicle is in rough condition, in that it has interior and exterior scratches, a broken bumper, a dent in the driver's side door, and a cracked rear bumper. Complainant expressed his opinion of market value of \$44,875 less \$1,875 mileage adjustment, or \$43,000. On January 1, 2022, the vehicle had 55,485 miles.

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 as required by Section 137.115.5.

For assessment purposes the TVM of motor vehicles is not determined by considering what a reasonable buyer would pay for the vehicle in the open market. Instead,

according 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).

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).

4. Complainant Did Not Prove Overvaluation.

According to the NADA definitions section (Respondent Ex. 4), Average condition is described as:

Average - Mechanically sound but may require some repairs/servicing to pass all necessary inspections; paint, body and wheel surfaces have moderate imperfections and an average finish which can be improved with restorative repair; interior reflects some soiling and wear in relation to vehicle age, with all equipment operable or requiring minimal effort to make operable; clean title history; vehicle will need a fair degree of reconditioning to be made ready for resale.

Rough condition is described as:

Rough – Significant mechanical defects requiring repairs in order to restore reasonable running condition; paint, body and wheel surfaces have considerable damage to their finish, which may include dull, faded or oxidized paint, small to medium size dents, frame damage, rust, or obvious signs of previous repairs; interior reflects above average wear, with inoperable equipment, damaged or missing trim, and heavily soiled/permanent imperfections on the headliner, carpet, and upholstery; may have a branded title; vehicle will need substantial reconditioning and repair to be made ready for resale; some existing damage may be difficult to restore.

Overall, Complainant's description of the vehicle places it in the Average category and not the Rough category. All of the mechanical issues described by Complainant – interior and exterior scratches, broken front bumper, drivers side door dent, and cracked back bumper – fairly fall within the description of Average. Although Complainant pointed out that the vehicle's history involved an accident, this fact does not remove the vehicle out of the "clean title history" description. Typically, a clean title means that a

vehicle has never been declared a total loss by an insurance company, has no salvage title, and has not been rebuilt or subject to flood or fire damage. Complainant's vehicle has a clean title.

Assessor valued the property in the manner specified by Section 137.115.9.

CONCLUSION AND ORDER

The TVM of the 2008 Volvo C70 on January 1, 2022 was \$2,550, having an assessed value of \$850.

The TVM of the 2019 Chevrolet Tahoe on January 1, 2022 was \$46,850, having an assessed value of \$15,620.

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