



STATE TAX COMMISSION OF MISSOURI

STEVEN LOGUE,	) Appeal No. 23-112969
	) Parcel No. 23R241146
Complainant,	)
	)
v.	)
	)
JAKE ZIMMERMAN, ASSESSOR,	)
ST. LOUIS COUNTY, MISSOURI,	)
	)
Respondent.	)

DECISION AND ORDER

Steven Logue (Complainant) appeals the St. Louis County Board of Equalization's (Respondent) decision valuing the subject residential property at \$230,300 as of January 1, 2023.¹ Complainant alleges overvaluation and asserts the true value in money (TVM) of the subject property was \$130,000 as of the assessment date. Complainant did not produce substantial and persuasive evidence establishing overvaluation. Respondent introduced persuasive evidence establishing the property's value as of the assessment date. The BOE decision is set aside. The TVM of the subject property as of January 1, 2023, is \$170,000.

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, sec. 14; Section 138.430.1, RSMo 2000. All statutory citations are to RSMo 2000, as amended.

The evidentiary hearing was held July 11, 2025, via Webex. Complainant appeared *pro se*. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Kevin Wyatt. The case was heard and decided by Senior Hearing Officer Benjamin C. Slawson.

FINDINGS OF FACT

1. The Subject Property. The subject residential property consists of a single-family split foyer home built in 1976 and located on a 0.32 acre lot at 250 Treasure Cv, Ballwin, MO 63021. The Parcel ID number is 23R241146. The property includes three bedrooms and two bathrooms.

2. Assessment and Valuation. Respondent determined the subject property's appraised value was \$230,300 as of January 1, 2023. The BOE independently determined that the subject's appraised value as of January 1, 2023, was \$230,300.

3. Complainant's Evidence. Complainant introduced the following Exhibit which was admitted without objection:

Exhibit	Description
A	38 pages including an Appraisal Report by Michael Hess, photographs of the subject, bids and estimates from contractors, a September 11, 2024, offer to purchase the subject for \$120,000, and a narrative from Complainant with arguments for overvaluation

Complainant testified that his opinion of value is \$130,000. Complainant testified that he has not made any significant improvements to the property since he purchased it in the 1990s. Complainant testified that he received an offer to purchase his home from a realtor, Damian Gerard of Engel and Voelkers, for \$120,000. He also testified as to two

comparable sales he found near the subject, two three-bedroom homes at 710 Kehrs Mill Rd. and 285 Ramsey which sold for \$145,000 and \$129,900 respectively. Complainant is not a licensed realtor in Missouri and did not make any market-based adjustments to the sales prices to support his opinion of value.

Complainant called Mr. Michael Hess of Hess Appraisals, Inc. as a witness. Mr. Hess testified that he is a licensed appraiser in the State of Missouri. At the request of Complainant, he performed a market appraisal of the subject with an effective date of June 16, 2025. Mr. Hess used the sales comparison approach and analyzed the sales of three comparable properties near the subject with sales prices of \$185,000, \$175,000 and \$163,000. Mr. Hess testified that he found the comparables using the MARIS system by searching for split foyer homes in a two-mile radius. Mr. Hess testified that it was difficult to find comparables in the same condition as the subject. After making adjustments for market conditions and characteristics of the comparables, Mr. Hess reached an opinion of value of \$149,000 for the property as of June 16, 2025.

Mr. Hess noted the lack of upgrades in the subject, and also testified as to subpar condition of the subject compared with nearby properties after touring the property. However, he noted that the lot the subject was located on is desirable and probably could be sold for \$125,000.² In his report, Mr. Hess noted that the functional utility of the subject and all three comparables was the same, he noted it as “Average”.³ On cross examination, Mr. Hess admitted that he had no knowledge regarding the sale conditions of the sale for

² Tr. at 7:58.

³ Exhibit A, Hess Appraisal p. 2.

Comparable 1 he used. He testified that he was not aware that the sale was between relatives and that had he known that he would not have used that comparable for his analysis.

3. Respondent's Evidence. Respondent introduced Exhibit 1, consisting of the October 17, 2023, BOE decision letter for the subject property. Exhibit 1 shows the BOE valued the subject property at \$230,300. Respondent also offered Exhibit 2, an appraisal report by Thomas Keeven. Both Exhibits were admitted without legal objections to their admissibility.

Mr. Keeven testified for Respondent. He is a licensed appraiser who works for the St. Louis County's Assessor's Office. Mr. Keeven performed a retroactive appraisal of the subject as of January 1, 2023. Mr. Keeven used a sales comparison approach to value the property and reached a value of \$170,000 for the assessment date. Mr. Keeven selected three comparable open-market sales from the Complainant's subdivision and then made market-based adjustments for differences in home features, market conditions, and other factors using paired sales analysis. The sales prices for the comparables were \$170,000, \$220,000, and \$180,000 respectively. Mr. Keeven found that Comparable 1 was the most similar in style to the subject although it was in a much worse condition than the subject. Comparable 1 was sold for \$170,000 in April of 2022, has \$1,150 square feet of living space, and is a split foyer home. Mr. Keeven included photos of Comparable 1 in his report showing that the property had been gutted. Although it was in worse condition than the subject, Mr. Keeven based his conservative valuation of the subject on this property given

its similarity in style and features. Mr. Keeven testified that he only used arms-length comparable sales because sales between relatives often do not reflect true market value.

4. Value. The TVM of the subject property as of January 1, 2023, was \$170,000.

CONCLUSIONS OF LAW

1. Assessment and Valuation. Residential real property is assessed at 19% of its TVM as of January 1 of each odd-numbered year. Sections 137.115.1; 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). The TVM "is a function of [the property's] highest and best use[.]" *Snider*, 156 S.W.3d at 346. "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. 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). "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).

3. Complainant's Burden of Proof. The taxpayer bears the burden of proof and must show by a preponderance of the evidence the property is 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" on the assessment date. *Id.* See also *Hermel, Inc. v. State Tax*

Commission, 564 S.W.2d 888, 897 (Mo. banc 1978). "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").

Property owners are competent to testify to the reasonable fair market value of their property. *Cohen*, 251 S.W.3d at 348. However, if owner's testimony is based on "improper elements or an improper foundation[.]" it is not substantial and persuasive evidence rebutting the presumptively correct BOE value. *Id.* at 349.

4. Complainant Did Not Produce Substantial and Persuasive Evidence of Overvaluation.

Complainant did not produce substantial and persuasive evidence to support his \$130,000 opinion of value.

The comparable sales approach is typically used to value residential properties improved with a single-family home like the subject. "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).

Complainant offered the testimony and report of a licensed appraiser, but that appraiser's valuation was not a retroactive appraisal for the relevant tax date of January 1, 2023. Also, Mr. Hess included a sale that was not an arms-length sale on the open market. Therefore, Mr. Hess' conclusions as to the property's value as of the tax assessment date are not persuasive to establish the true value of the subject on January 1, 2023. In order to prove overvaluation, the taxpayer must not only prove that the assessment is erroneous, but ***must also must prove "the value that should have been placed on the property" on the assessment date***. *Hermel, Inc. v. State Tax Commission*, 564 S.W.2d 888, 897 (Mo. banc 1978). Emphasis added.

While not required to because the burden of proof was on Complainant, Respondent produced an appraisal for the relevant tax date which also included the sales comparison approach. Mr. Keeven testified for Respondent. He testified that her visited the property from the street in June of 2025 but not did do an interior inspection as part of his appraisal. Mr. Keeven selected three sales of nearby properties to the subject and then chose Comparable 1 to come to his conclusory value of \$170,000 even though the subject was in slightly better condition than that property. Examining the appraisal report of Mr. Keeven, he made proper market-based adjustments to the sales prices of the comparable to account for market conditions of the sales and the differences of value between the subject and those properties as of January 1, 2023. All comparables were close in location, style, and condition to the subject and adjustments were made for differences. As such, the Senior Hearing Officer finds the appraisal to be persuasive to support a valuation of \$170,000 as opposed to the amount set by the BOE for the property as of the assessment date, \$230,300.

Complainant testified that Respondent at no time made an internal physical inspection of the subject despite his numerous requests for the County to do so. However, to the extent Complainant is arguing Respondent's assessment from the previous tax cycle is limited to a 15% increase from the last assessment under Section 137.115, RSMo, such a claim was not made in Complainant's Complaint for Review (C4R) as grounds for his appeal.⁴ Even so, such a claim is moot given that Respondent is seeking not seeking the BOE's decision as to value of \$230,300 to be upheld.⁵ Last, this decision sets a valuation of \$170,000 for the property as of January 1, 2023, a value is actually less than the appraised 2022 value.⁶

CONCLUSION AND ORDER

The BOE decision is set aside. The TVM of the subject property as of January 1, 2023, is \$170,000.

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

⁴ The only box checked in the C4R was "Overvaluation."

⁵ Tr. at 56:15, Mr. Wyatt, Counsel for Respondent.

⁶ While no party presented evidence of the prior appraised value, it appears the appraised value was \$180,200 as of January 1, 2022, according to the online St. Louis County Real Estate Search portal, <https://revenue.stlouisco.com/RealEstate/AsmtInfo.aspx> (last accessed October 15, 2025.). The 2022 assessed value of \$34,240 plus 15% results in an assessed valuation of \$39,376. The decision's value of \$170,000 for 2023 (assessed value \$32,300) is actually a *reduction* from the 2022 value.

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 November 6, 2025.

Benjamin C. Slawson
Senior Hearing Officer
State Tax Commission

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 7, 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