STATE TAX COMMISSION OF MISSOURI

SHAHDAD & TERESA DOWLATSHAHI, Complainant(s), v. GAIL McCANN BEATTY, DIRECTOR OF ASSESSMENT, JACKSON COUNTY, MISSOURI, Respondent.	)	Appeal No. 23-30896 Parcel# 62-640-03-09-00-0-00-000

DECISION AND ORDER

Complainants, Shahdad & Teresa Dowlatshahi, appeal the Jackson County Board of Equalization's (BOE) decision finding the true value in money (TVM) on January 1, 2023, to be $200,000 and, therefore, the Assessed value of the subject property on January 1, 2023, to be $38,000. Complainant alleges overvaluation.[1] For the reasons explained herein, the decision of the BOE is set aside. The TVM of the subject property on January 1, 2023, was $116,150 with an Assessed value of $22,068.

The Evidentiary Hearing in this matter was scheduled in a Scheduling Order sent to the parties on August 26, 2025, and was held on October 9, 2025. Complainants appeared via telephone. Respondent was represented by counsel, Eric Honea.

[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.

Complainants presented the following Exhibits:

Exhibit #	Description	Objection
1	Comps from Assessor	Legal conclusion
2	Second letter of Assessment	Relevance & foundation
3	List of Repairs	Foundation
4	External & internal inspection	Hearsay
5	Comparative Analysis	Hearsay & foundation
6	Request for GPS Data	Relevance & foundation
7	JC response to GPS Data	Relevance & foundation
8	House offer p. 1	Relevance & foundation
9	House offer p. 2	Relevance & foundation
10	Home Depot window quote	Relevance & foundation
11	Home Depot quote	Relevance & foundation
12	Window Damage 1	Relevance & foundation
13	Window Damage 2	Relevance & foundation
14	Boiler Damage 1	Relevance & foundation
15	Boiler Damage 2	Relevance & foundation
16	New window AC	Relevance & foundation
17	Fan	Relevance & foundation
18	Space heaters used	Relevance & foundation
19	AC system quote	Relevance & foundation
20	Anastasia Smith Comp for house	Relevance & foundation
21	Estimate for repair	Relevance & foundation

All 21 Exhibits are received over objection and given the weight due. Complainants submitted Exhibit 22 via email on October 13, 2025. As the evidence was closed at the end of the hearing on October 9, 2025, Exhibit 22 will not be received and will not be considered in this decision. Complainants testified that they did not receive the 2023 Reassessment Notice on or before June 16, 2023. Complainants both testified as to the condition of their house and the work that would be required to improve it to a condition that would be similar to the comparable properties used by the assessor's office. Multiple estimates for repair or replacement were presented. Complainants testified that they would like to improve their home, but do not have the capital available to do so. Complainants stated that there is no air conditioning in the house and the boiler that is supposed to heat the home is original to the house, so it is approximately 60 years

old, so they are required to use space heaters in the house to keep warm. Neither complainant is a realtor or appraiser or has training in making adjustments to the value of homes based upon location, condition and repair estimates.

Respondent presented the following Exhibits, all of which were received without objection:

Exhibit #	Description	Objection
1	Cover Sheet	None
2	BOE Decision Letter	None
3	2023 Reassessment Notice	None
4	Physical Inspection Photo	None
5	Property Record Card (PRC)	None
6	MLS Split level subdivision comps	None
7	System Comps	None
8	City Permit info	None
9	Interior Inspection photos 7-3-2023	None

Respondent presented the testimony of Daniel Gooden, a certified residential appraiser who works in the Jackson County Assessor's Office. The testimony of Mr. Gooden is credible. Mr. Gooden, with reference to Exhibit 1, stated that the 2022 TVM of the property was set by the Assessor's Office at $101,000. The 2023 Reassessment Notice, (referred to by the witness as a Notice of Value), Exhibit 3, set out a proposed value of $272,700. The Jackson County BOE set the value of the property at $200,000. Mr. Gooden testified regarding the procedure that was to be followed by the people doing the physical inspection of the property. Mr. Gooden testified that the exterior inspection was noted on Exhibit 1 to have occurred on June 4, 2021 and an interior inspection of the property occurred on July 3, 2023. Mr. Gooden further testified that according to the note on Exhibit 1, the 2023 Reassessment Notice was sent to the vendor used by the Assessor's office for publishing and mailing of such notices on May 30, 2023. Mr. Gooden had no way to know when the 2023 Reassessment Notice was actually mailed by the vendor or received by the Complainant. Mr. Gooden testified that after reviewing comparable properties in

the area of the subject property, that the value set by the BOE was supported by the comparable sales. Respondent requested that the TVM as set by the BOE be affirmed in this appeal.

FINDINGS OF FACT

1. The Subject Property's 2022 Assessment.

Mr. Gooden in his testimony stated that the subject property had a TVM set by the Assessor of $101,000 on January 1, 2022, and was classified as residential property.

2. The State Tax Commission's Order of August 6, 2024.

The Commission takes official notice of the fact that on August 6, 2024, the Commission issued an Order pursuant to its general supervisory duties vested in it by the constitution and statutes of the State of Missouri (hereafter "2024 Order.") The 2024 Order was directed to the Jackson County Executive, the Jackson County Board of Equalization, and the Jackson County Director of Assessment.

In its 2024 Order, the Commission ordered the Jackson County assessing officials to correct the 2023 Assessment Roll to reflect assessed valuations of all parcels of subclass (1) real property, excluding increases due to new construction or improvements, that equal the valuations determined by Jackson County assessing officials, or valuations that do not exceed fifteen percent since the last assessment, whichever is less. The Commission further ordered that the assessed valuations for 2024 subclass (1) real property shall remain the same as the assessed valuations in the 2023 assessment roll, as corrected by the Order, excluding increases due to new construction or improvements.

3. Jackson County Assessing Officials' Refusal to Comply With The 2024 Order.

The Commission takes official notice of the fact that Jackson County assessing officials refused to comply with the 2024 Order.[2]

4. Jackson County Assessing Officials' Failure to Comply With The Notice and Physical Inspection Requirements of Section 137.115 RSMo.

Section 137.115 requires that the Assessor:

A. Notify the property owner that the property value may have increased by more than 15% since the last assessment;

B. Provide the owner clear written notice of the owner's rights relating to a physical inspection of the property by the assessor's office;

C. Afford the property owner the opportunity for an interior inspection;

D. Physically inspect the property after the owner's 30 days to request an interior inspection have passed.

The Commission takes official notice of the fact that Jackson County Assessing Officials failed to comply with the notice and physical inspection requirements of Section 137.115 RSMo. In its Judgment entered on March 31, 2025 in *Gail McCann Beatty et al. v. State Tax Commission of Missouri*, Case No. 2416-CV25478, the Jackson County Circuit Court, at p. 33, found as follows:

> The Court finds from the evidence presented at trial that the Jackson County Petitioners improperly used some parcel by parcel reviews that were attenuated from the 2023 real property assessments; that Petitioners failed to comply with the requirements of physical inspection as set forth in section 137.115 as to certain Jackson County real property owners

[2] "Jackson County Petitioners refused to comply with the Order and filed the present lawsuit." March 31, 2025 Judgment, *Gail McCann Beatty et al. v. State Tax Commission of Missouri*, Case No. 2416-CV25478, Jackson County Circuit Court, at p. 17.

> who were facing assessment increases of 15% or more ; that the Jackson County Petitioners failed to provide adequate notice to approximately 75% Jackson County real property owners who faced increases of 15% or more; that the Jackson County Petitioners sent notices to property owners about interior inspections which misstated the applicable law; that notices were sent out in a time frame in June, 2023, and that provided affected real property owners insufficient time to timely request an interior inspection or file appeals to the BOE. These errors compounded to create a 2023 Jackson County real property tax assessment which resulted in mistaken or erroneous assessments and taxes levied or paid in 2023. The Court further finds from the evidence presented at trial that the Commission acted upon substantial and competent evidence in determining that the errors had occurred in the 2023 real property assessment and did not act arbitrarily, capriciously or unreasonably in entering its Order.

Respondent sent the 2023 Reassessment Notice to the vendor that was being used for printing and mailing on May 30, 2023 as set out on Exhibit 2. The Physical exterior inspection of the property as described by Mr. Gooden, purportedly occurred on June 4, 2021. An interior inspection of the property occurred on July 3, 2023.

5. No New Construction Or Improvements.

The 2024 Order does not apply to Jackson County appeals where such properties had new construction or improvements in 2022. The subject property did not have new construction or improvements in 2022. This finding is based upon the following facts, all of which are determined by official notice:

On July 16, 2025, the undersigned entered an order in this appeal, directing the parties to notify the Commission no later than August 18, 2025 whether there was new construction or improvements to the subject property in 2022. The order directed that in the event a party did not provide information pertaining to new construction or improvements, the Commission would assume that the answer is in the negative as to that party and consider the action of the party a waiver of any right to contend that there was new construction or improvements. The Parties did not notify the Commission that there was any new construction or improvements to the subject property.

6. Evidence that the 2022 Assessed Valuation is Less Than the Valuation Derived From Application of the 2024 Order.

The 2024 Order set a ceiling, not a floor, for the 2023 valuation. On July 16, 2025, the undersigned entered an order in this appeal, directing Complainant to notify the Commission no later than August 18, 2025 whether Complainant intends to present any evidence that the value of the subject property is less than the property's 2022 assessed value plus fifteen percent. Complainant contacted the SHO and requested that this matter be set for Evidentiary Hearing as Complainant believed that the 2023 TVM of the property should be less than the 2022 TVM of the property plus an additional 15%.

Complainants in this matter submitted exhibits and testified showing the condition of their property.

7. Mathematical Computation.

The Commission takes official notice that the subject property's 2022 TVM ($101,000) multiplied by .19 equals the Assessed value of the subject property ($19,190) for 2022, increased by 15%, ($19,190 x 1.15 = $22,068) which is the amount set for the 2023 Assessed value of the subject property in accordance with the Order of the Commission. The Commission further takes official notice that the TVM of the property for 2023 is the Assessed value divided by 19%, ($22,068/.19 = $116,150).

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. 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) RSMo.

2. **The 2024 Order of the STC is Valid and is Applicable to the Subject Property.**

The 2024 Order is a valid order, issued pursuant to the Commission's constitutional and statutory authority, and within its powers which are commensurate with its responsibility and designed to enforce the law and assure uniformity. *Cassilly v. Riney*, 576 S.W.2d 325 (Mo. banc 1979); *Cuivre River Electric, Inc. v. State Tax Commission of Missouri*, 769 S.W.2d 432, 435 (Mo. banc 1989).

The 2024 Order applies to all parcels of subclass (1) real property located in Jackson County. Subclass (1) real property is defined as residential property.[3] The Respondent presented evidence of an exterior inspection and evidence of preparation of a 2023 Reassessment Notice. The evidence presented was a date on which the 2023 Reassessment Notice was sent to a printing and mailing vendor, not when the notice was mailed to Complainant which is necessary to determine compliance with 137.115. Complainants testified that they did not receive the 2023 Reassessment Notice prior to the required date. Respondent presented evidence that the exterior inspection occurred on June 4, 2021. Respondent further presented evidence than an interior inspection was completed on July 3, 2023. Compliance with 137.115 was not proven, therefore, the Order of the Commission from August 6, 2024, applies and limits the increase of assessment of the property to 15% over the 2022 valuation.

3. 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

[3] Mo. Const. Art. X Section 4(a) and 4(b)(1).

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).

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

Complainants propose a value for the property based upon sales of other properties and estimates for repairs of their property. Complainant did not produce evidence supporting a comparable sales approach, income approach, or cost approach to value.

Complainants testified about the condition of their home, the items in the home that need to be repaired and/or replaced; but had no analysis completed by someone trained to analyze such situations to show the deleterious effect of these conditions on the value of the subject property.

Neither Complainants' exhibits nor testimony utilized the comparable sales approach, income approach, or cost approach to support the proposed value. The lack of evidence relating to a recognized valuation method renders Complainant's 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). Complainant 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 set aside. The TVM of the subject property is $116,150 and the Assessed values of the subject property as of January 1, 2023, was $22,068.

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 Jackson 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.
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 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