



STATE TAX COMMISSION OF MISSOURI

PETER & CONNIE GREEN,)	Appeal No. 23-10121
)	Parcel No. 18J241016
Complainant(s),)	
)	
v.)	
)	
JAKE ZIMMERMAN, ASSESSOR,)	
ST. LOUIS COUNTY, MISSOURI,)	
)	
Respondent.)	

DECISION AND ORDER

Peter and Connie Green (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 \$556,800. Complainants allege overvaluation and discrimination based on age, claiming that the TVM as of that date was the same amount as the TVM of 2022.¹ Complainants did not produce substantial and persuasive evidence of overvaluation or discrimination. The BOE decision is affirmed. The TVM of the subject property on January 1, 2023, was \$556,800.

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 on February 6, 2025, via Webex. Complainant appeared *pro se* via Webex. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Tim Bowe who appeared via Webex. The appeal was heard and decided by Hearing Officer Samuel Knapper.

FINDINGS OF FACT

1. The Subject Property. The subject residential real property is located at 7139 Waterman Avenue, University City, Missouri with a Parcel ID of 18J241016. The residence is a two story single-family home.

2. Assessment and Valuation. Respondent classified the subject property as residential and determined the TVM on January 1, 2023, was \$556,800. The BOE independently determined the TVM of the subject property as of January 1, 2023, was \$556,800.

3. Complainant's Evidence. Complainant introduced one collective Exhibit which was admitted without objection. It is described as follows:

Label	Description
A	Email from Complainant with 4 attachments of suggested properties for comparison to subject property

Peter Green (Mr. Green) testified on behalf of the Complainants and believes the Respondent overvalued their property. Mr. Green also believes that the assessment is discriminatory based upon the Complainants' age. Mr. Green testified that the width of the subject property is 40 feet as compared to many surrounding lots which are 50 feet and 60

feet wide. Mr. Green also believes that many of his neighbors have finished third floors and that many have not reported their improvements. Mr. Green argues that this is causing the Complainants to bear a disproportionate share of the tax burden related to the assessment of their real property. Mr. Green admitted that this argument is based upon assumptions. Mr. Green also testified that the last update to the subject property occurred in 1986-87. Mr. Green testified that the finishings of the home reflect a style from the eighties, including natural wood finishes on cabinets, old wallpaper, inadequate closets, small rooms and limited counterspace in the bathrooms. Mr. Green additionally testified that the back alley is in poor condition and many neighbors have poorly maintained yards. Mr. Green believes that these issues justify giving the Complainants' property a lower condition rating. Mr. Green also testified regarding the traffic and that many parents speed to get their children to school and school busses frequently drive on the road.

Mr. Green also testified about several properties that were for sale or recently sold at the time of the hearing and compared them to the subject property. Mr. Green did not provide the sale price or date of a realty transaction for any of the properties to which he testified.

Mr. Green testified that the claim of age discrimination was based on the Respondent being more concerned with revenue than accurate assessments. Mr. Green testified that the 'Homestead Eligibility' for the Senior Tax Freeze of Saint Louis County required property to be valued \$500,000 or less.² Mr. Green testified that he believed that

² MO Stat 137.1050 enables Saint Louis County to create and administer the Senior Tax Freeze program. Saint Louis County Ordinance 502.750 creates such a program. However, the county of Saint Louis does not have

the de minimis amount separating his property from eligibility supports a conclusion that the TVM of the subject property was motivated by discrimination based upon age to prevent Complainants from qualifying for the senior tax freeze.

Upon cross examination the Complainants testified that they are not licensed real estate appraisers.

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 \$556,800.

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

a property value threshold when defining eligible homesteads, as opposed to city of Saint Louis which has such an eligibility requirement. See Saint Louis City Ordinance 71916, Section 4, pg. 9 of 11.

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. Discrimination. The United States and Missouri constitutions prohibit the discriminatory assessment and taxation of similarly situated properties. *Savage*, 722 S.W.2d at 78. In the absence of intentional discrimination, an assessment may, nonetheless,

be discriminatory if it “in effect amounts to an intentional violation of the essential principle of practical uniformity.” *Id.* (emphasis omitted) (quoting *Sunday Lake Iron Co. v. Wakefield Tp.*, 247 U.S. 350, 353, 38 S.Ct. 495, 62 L.Ed. 1154 (1918)).⁵ The equal protection principle underlying a discrimination claim “protects the individual from state action which selects him out for discriminatory treatment by subjecting him to taxes not imposed on others of the same class.” *Allegheny Pittsburgh Coal Co. v. Cnty. Comm'n of Webster Cnty.*, 488 U.S. 336, 345, 109 S.Ct. 633, 102 L.Ed.2d 688 (1989). It follows that “the fairness of one's allocable share of the total property tax burden can only be meaningfully evaluated *280 by comparison with the share of others similarly situated relative to their property holdings.” *Id.* at 346, 109 S.Ct. 633; *see also Crowell v. Cox*, 561 S.W.3d 882, 892 (Mo. App. 2018) (citing *Allegheny* for the proposition a taxpayer alleging a discriminatory assessment has the “burden to show the alleged disparate treatment caused them to bear an unfair share of the property tax burden compared to the other properties”). *Crown Diversified Indus. Corp. v. Zimmerman*, 683 S.W.3d 273, 279–80 (Mo. 2024)

3. 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.*

4. Complainant's 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").

5. Complainants Did Not Produce Substantial and Persuasive Evidence of Overvaluation or Discrimination.

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 the TVM from 2022 for the subject property as of January 1, 2023 or discrimination. 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).

Mr. Green testified about the several condition issues for the subject and the needed updates for the property. However, Complainants offered no professional analysis completed by someone trained to analyze such condition issues and to show the negative impact they would have on the property on the assessment date, January 1, 2023. Complainants also provided suggested sales for comparison without providing the dates of sales to confirm they were timely in assessing value for January 1, 2023. Additionally, the Complainants' arguments based upon unreported property improvements of neighbors, discriminatory motivation of assessment values based upon age by the Respondent, and lessening property value due to traffic is speculative and unfounded. Complainants' arguments are unsupported by evidence beyond their testimony. The Complainants lacked

proof that their assessment was treated differently than assessments of other similarly situated senior citizens, members of the same protected class.

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 affirmed. The TVM of the subject property as of January 1, 2023, was \$556,800.

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 January 8, 2026.

STATE TAX COMMISSION OF MISSOURI

Samuel Knapper
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 January 9th, 2026, 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