



STATE TAX COMMISSION OF MISSOURI

CHRISTOPHER CLARK,)
Complainant,) Appeal No. 23-10138
v.)
JAKE ZIMMERMAN, ASSESSOR,)
ST. LOUIS COUNTY, MISSOURI,)
Respondent.)

DECISION AND ORDER

Christopher Clark (Complainant) appeals the St. Louis County Board of Equalization's decision valuing the subject residential property located at 12 Lindworth Ave, St. Louis County, Missouri, as of January 1, 2023 at \$1,260,900. Complainant alleges overvaluation and proposes an alternate value for the property of \$884,200. The BOE decision is affirmed.¹

The evidentiary hearing was held on February 25, 2025, via Webex before Senior Hearing Officer Sam Knapper. Complainant appeared pro se. Respondent was represented by Steve Robson. After both parties had rested and given closing arguments, Complainant moved for a continuance to obtain counsel. The motion was taken under advisement. The appeal was assigned

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.

for decision to Senior Hearing Officer Todd D. Wilson on June 16, 2025. Complainant's Motion to Continue is overruled. Complainant was aware of the pendency of this appeal for an extended period of time during which Complainant could have consulted with an attorney or contacted the County to discuss their differences, there was a Pre-Hearing Conference in this matter, and on the date of the hearing, both parties presented arguments and evidence prior to Complainant requesting a continuance.

FINDINGS OF FACT

1. The Subject Property. The subject property is residential with the address of 12 Lindworth Ave, St. Louis County. Complainant purchased the property in 2020 for \$800,000.

2. Assessment and Valuation. The Assessor valued the property at \$1,369,700. The BOE lowered the value to \$1,260,900. Complainant originally proposed a value of \$884,200 for the property. The parcel number of the property is 20L610033.

3. Complainant's Evidence. Complainant introduced a power point presentation containing information for the property as well as other properties. The presentation was marked as Exhibit A and received without objection.

The Complainant testified that he has purchased the property in 2020 at the height of the market and the low point in mortgage interest rates. He had filed an appeal with the BOE regarding his 2021 value and was successful in reaching agreement with the Assessor's Office to use the purchase price of the residence as the value of the property and in return, Complainant dismissed the BOE appeal in 2021. Complainant contends that his property is the only property in his neighborhood that is rated very good and he believes that this may be the cause of the increase in valuation. Complainant states that in 2021, he had cabinets in the kitchen painted and the shower stall in the basement bathroom was removed, reducing this from a full bath to a half bath.

Complainant is confused how this would cause his property's condition rating to increase to very good and his valuation to increase so drastically. Complainant is not an appraiser and does not have any formal training for making adjustments to comparable sales. Complainant did not make any adjustments for time, location or conditions of the sale.

4. Respondent's Evidence. Respondent introduced Exhibit 1, the determination letter from the BOE which was received without objection. Respondent further had Rob Sherman, an appraiser who works with the Assessor's office testify. Mr. Sherman testified about the reason for the increase in the quality of the home and the valuation increase.

5. Value. The TVM of the subject property as of January 1, 2023, was \$1,260,900 as determined by the BOE.

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).

The TVM of a property is typically determined by the sales comparison approach, the income approach, or the cost approach. *Snider v. Casino Aztar/Aztar Missouri Gaming Corp.*, 156 S.W.3d at 346-48.

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." *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").

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 proposes values for the properties based upon his purchase price and sale of residential properties. Complainant could not quantify the adjustments to properties for time, location and condition. Complainant did not produce substantial and persuasive evidence rebutting the presumptively correct BOE value. Complainant did not produce evidence supporting a comparable sales approach, income approach, or cost approach to value.

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

Complainant did not produce substantial and persuasive evidence of overvaluation. The BOE decision is affirmed. The TVM of the subject property as of January 1, 2023, was \$1,260,900 as determined by the BOE. The parcel number of the property is 20L610033.

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

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 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