



STATE TAX COMMISSION OF MISSOURI

KENNETH ASTON,)	Appeal No. 23-10344
)	Parcel No. 18J420097
Complainant(s),)	
)	
v.)	
)	
JAKE ZIMMERMAN, ASSESSOR,)	
ST. LOUIS COUNTY, MISSOURI,)	
)	
Respondent.)	

DECISION AND ORDER

Kenneth Aston (Complainant) appeals 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 \$379,400. Complainant alleges overvaluation and claims that the TVM as of that date was \$325,000.¹ Complainant did not produce substantial and persuasive evidence of overvaluation. However, the Respondent did provide substantial and persuasive evidence of overvaluation and the BOE decision is modified as the TVM of the subject property on January 1, 2023, was \$350,000.

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 on March 26, 2025, via Webex. Complainant appeared *pro se* via phone. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Kevin Wyatt 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 7384 Stratford Ave., St. Louis County, Missouri with a Parcel ID of 18J420097.

2. Assessment and Valuation. Respondent classified the subject property as residential and determined the TVM on January 1, 2023, was \$379,400. The BOE independently determined the TVM of the subject property as of January 1, 2023, was \$379,400.

3. Complainant's Evidence. Complainant introduced two Exhibits which were admitted. They are described as follows:

Label	Description
A	Purchase Offer by Claverach Builders, LLC. Admitted over Respondent's objection based upon hearsay due to Claverach representative not testifying. Admitted for purposes of establishing an offer, not for establishing market value.
B	Collective Exhibit of 7 Photos admitted without objection. 2 of each bathroom (4 total), 2 of roof, 1 of stairs

Complainant testified that his opinion of value as of January 1, 2023, for the subject property is \$325,000. Complainant testified that he believes that the Assessor overvalued his property because of the several condition issues with the subject property's home which was built in 1952, including but not limited to: (1) original windows, (2) original bathrooms, (3) original doors, (4) original roof and (5) it is the smallest home in the neighborhood. *See Exhibit B.* Complainant received an offer of \$300,000 to purchase the subject property on November 1, 2023. *See Exhibit A.* Complainant testified that he sold the subject property for \$350,000 in September of 2024. Complainant relies upon his experience as a realtor since 1979 and his familiarity with real estate in St. Louis. Complainant testified that he believes that his experience exceeds most people in St. Louis. Complainant testified he purchased the subject property to put on the rental market approximately seven years prior to the hearing. Complainant is a real estate broker in Missouri and Kansas and has bought and sold properties on behalf of himself and others. Complainant testified that he will occasionally perform a market analysis for prospective transactions; however, he primarily utilizes such analysis for apartment complexes. Complainant testified that he is 100% certain that the home was worth \$325,000 on January 1, 2023. Complainant noted that real estate values have been rising significantly, and he was only able to sell the subject property for \$350,000 in September of 2024.

Upon cross examination Complainant testified that the subject property was not listed on the open market. Complainant testified that he used his experience to find a buyer without listing on the open market.

4. Respondent's Evidence. Respondent introduced Exhibit 1, the BOE's October 17, 2023, Decision Letter. Respondent's Exhibit 1 was admitted into evidence.

Respondent also called Tom Keevan as a witness. Mr. Keevan works for the St. Louis County Assessor's Office and has been a certified appraiser since 1985. Mr. Keevan is currently a certified appraiser and regularly reviews documents submitted by taxpayers appealing the assessed value of their property. Mr. Keevan testified that he reviewed the Complainant's submissions which led him to reduce the rating of the condition of the property and then made adjustments based upon the comparable sales utilized by the Respondent. This process led Mr. Keevan to calculate an assessment value of \$354,300; however, Mr. Keevan recommended an assessment value of \$350,000 due to the recent sale that the Complainant reported of his former property. Mr. Keevan also testified that the subject property was sold to an investor without being placed on the open market which typically results in a property receiving a lesser sale price. Mr. Keevan also testified that another property that was two doors down from the subject property sold for \$475,000 and did not require the repairs that the subject property needs. Mr. Keevan testified that the \$125,000 difference in price would cover the cost of the needed repairs.

5. Value. The TVM of the subject property as of January 1, 2023, was \$350,000.

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 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. 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.*

3. 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").

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

Complainant did not produce substantial and persuasive evidence rebutting the presumptively correct BOE value. Complainant did not produce substantial and persuasive evidence to support his opinion of value of \$325,000 for the subject property as of January 1, 2023. Complainant 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).

Complainant testified about several condition issues for the subject and the needed

updates and repairs for the property. Pictures of the subject were submitted by Complainant evidencing the alleged problems with the home. However, Complainant offered no professional analysis completed by someone trained to analyze such condition issues and to show the deleterious effect they had on the property on the assessment date, January 1, 2023.

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.

5. Respondent's Suggested TVM of \$350,000 is Based Upon Substantial and Persuasive Evidence.

Respondent successfully provided testimony to support modifying the TVM of the subject property from \$379,400 to \$350,000. Respondent's testimonial evidence provided by Mr. Keewan combined with information provided by the Complainant meet the burden of proof to modify the BOE's TVM of the subject property. Mr. Keewan described how he changed the condition rating of the subject property based upon the Complainant's pictures and supporting information. Additionally, Mr. Keewan made adjustments to comparable sales to calculate a TVM of \$354,300. Mr. Keewan's analysis conforms to a recognized method of valuation in Missouri. Mr. Keewan also suggested reducing the TVM of the subject property to \$350,000 as of January 1, 2023 due to the Complainant reporting

a sale for that amount in September of 2024 as it was very close to the amount he calculated. Mr. Keevan justified the TVM of \$350,000 as of January 1, 2023 based upon a sale of a nearby property for \$125,000 more which was in superior condition and that the subject property's sale in September of 2024 did not command its full value because it was not listed on the open market but sold directly to an investor which typically results in lesser sale prices. Mr. Keevan's testimony and analysis (partially based upon information provided by Complainant) provides substantial and persuasive evidence necessary to modify the BOE's TVM.

CONCLUSION AND ORDER

The BOE decision is modified as the TVM of the subject property as of January 1, 2023, was \$350,000 instead of \$379,400.

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