



STATE TAX COMMISSION OF MISSOURI

CHRISTOPHER FLICK,) Appeal No. 23-10083
) Parcel No. 22R220100
Complainant(s),)
)
v.)
)
JAKE ZIMMERMAN, ASSESSOR,)
ST. LOUIS COUNTY, MISSOURI,)
)
Respondent.)

DECISION AND ORDER

Christopher Flick (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 \$256,300. Complainant alleges overvaluation and claims that the TVM as of that date should be \$227,000.¹ Complainant did not produce substantial and persuasive evidence of overvaluation. The BOE decision is affirmed. The TVM of the subject property on January 1, 2023, was \$256,300.

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 January 29, 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 110 Maple Lane, St. Louis County, Missouri with a Parcel ID of 22R220100.

2. Assessment and Valuation. Respondent classified the subject property as residential and determined the TVM on January 1, 2023, was \$256,300. The BOE independently determined the TVM of the subject property as of January 1, 2023, was \$256,300.

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

Label	Description
A	Pdf of Coldwell Banker online listing for 108 Maple Lane

Complainant believes the value as of January 1, 2023, for the subject property should be \$227,000. Complainant testified that the Assessor overvalued his property based upon three arguments; specifically: (1) the Respondent failed to account for condition issues with the subject, (2) Respondent failed to use his neighbor's house as a recent comparable sale when calculating his property's TVM and (3) a lower valuation should be assessed due to Complainant's recent retirement.

Complainant testified that he has lived on the subject property for 23 years and has only maintained the property without making any improvements in that time (e.g. tree removals, replacing roof, etc.). Complainant testified to installing an above-ground pool but believes that it does not add value to his property. Complainant believes the Respondent erred by increasing the value of his ‘improvements’ on his property because he has only maintained its condition. Complainant argues that the increase to the value of ‘improvements’ on his property has unfairly increased his tax burden.

Complainant also testified that the property adjacent to his, with the address 108 Maple Lane, recently sold for \$227,000 and had similar square footage. Complainant testified that the neighboring property had an acre lot, a ranch style and that it sold as-is. Complainant believes this is the best comparable sale available due to its proximity to his property despite differences in conditions between the properties.

Complainant also testified that the timing of a 22% increase in his property’s TVM fails to consider that he recently retired and will be living on a fixed income. Complainant testified that a 22% increase occurring the same year as his retirement seems unfair and burdensome, especially considering the economic climate. Complainant also testified that he knows other citizens who were able to successfully decrease their properties’ assessments on appeal when they experienced a significant increase in their TVM. Complainant testified he is not familiar with any property owners who have experienced an increase as large as his property’s assessment.

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.

Respondent called Thomas Keevan (Mr. Keevan) as a witness. Mr. Keevan testified that he works as an appraiser for the Saint Louis County Assessor's Office. Mr. Keevan has been an appraiser in Missouri since 1985 and has worked for the county assessor for two and a half years. Mr. Keevan testified that he regularly reviews files and documents that pertain to matters set for hearing with the Missouri State Tax Commission. Mr. Keevan testified that he performed such a review for this hearing and based upon that analysis he would not utilize the Complainant's suggested comparable sale located at 108 Maple Lane. Mr. Keevan testified he would not use that comparable sale because it needed to be completely gutted and rehabbed. Mr. Keevan testified that 108 Maple Lane required new bathrooms, a new kitchen, new flooring, had an older roof compared to the subject property, the driveway needs resurfacing, was built upon a slab (Complainant's property is not built upon a slab) and had dated windows. Mr. Keevan noted the listing displayed the words 'as-is' in bold print. Mr. Keevan testified that the Respondent's valuation of the subject property is accurate and conservative.

Upon cross examination Mr. Keevan testified that the Respondent used comparable sales from several blocks away instead of property next door to the subject property because comparable condition is essential to determining what a buyer would be willing to pay for a property. Mr. Keevan also testified that the Respondent's valuation would still be supported using 108 Maple Lane as a comparable sale due to its dilapidated condition.

Lastly, Mr. Keevan testified upon redirect that an appraiser would not perform an appraisal for their own property as it would violate ethics to which appraisers must abide. This rule exists because an appraiser could not objectively appraise their own properties.

5. Value. The TVM of the subject property as of January 1, 2023, was \$256,300.

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). "[A]n addition to property, usu. real estate, whether permanent or not; esp., one that increases its value or utility or that enhances its appearance." Black's Law Dictionary (12th ed. 2024).

"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 \$227,000 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 property; however, Complainant offered no professional analysis completed by someone trained to analyze such issues and compute the impact they had on the property on the assessment date, January 1, 2023. Therefore, the only evidence to support Complainant's claim that the condition of his property warrants a reduction in its valuation is his own testimony. Personal testimony of a property owner is not substantial and persuasive evidence because of the opportunity for bias. Such opportunity for bias and lack of objectivity is the reasoning for the ethical prohibition placed upon appraisers seeking to determine value for property they own.

Complainant also claimed the Respondent erred in increasing the value of the

‘Improvements’ of his property. ‘Improvements’ of real estate may refer to newly added or permanent structures on the land which increase its value, utility or appearance. In this case the home on the lot of the subject property is such an improvement. An ‘improvement’ can increase in value without making any enhancements to it. Therefore, this argument is also without merit.

Lastly, Complainant argues that the increase in the TVM of his property is unfair considering his recent retirement. The Hearing Officer respects this argument and wishes the Complainant well in retirement; however, there is no legal authority to reduce a valuation upon this argument as Missouri does not recognize changes in individual employment status or ability to pay as a method of valuing property.

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 \$256,300.

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 February 11, 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 February 13th, 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