



# STATE TAX COMMISSION OF MISSOURI

TIMOTHY ESTEPP, )  
 )  
 Complainant(s), )  
 ) Appeal No. 23-10097  
 v. ) Parcel No. 21N410085  
 )  
 JAKE ZIMMERMAN, ASSESSOR, )  
 ST. LOUIS COUNTY, MISSOURI, )  
 )  
 Respondent. )

## DECISION AND ORDER

Timothy Estep (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 \$665,000. Complainant alleges overvaluation and claims that the TVM as of that date was less than the BOE's finding.<sup>1</sup> 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 \$665,000.

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<sup>1</sup> 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*. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Tim Bowe. The case was heard and decided by Hearing Officer Samuel Knapper.

### FINDINGS OF FACT

**1. The Subject Property.** The subject residential real property is located at 1857 Bopp Rd., St. Louis County, Missouri with Parcel number 21N410085.

**2. Assessment and Valuation.** Respondent classified the subject property as residential and determined the TVM on January 1, 2023, was \$716,700. The BOE also determined the TVM of the subject property as of January 1, 2023, was \$665,000.

**3. Complainant's Evidence.** Complainant introduced the following Exhibit which was admitted without objection:

Exhibit	Description
A	Description of comparable sales Complainant researched and found

Complainant testified that his opinion of value as of January 1, 2023, for the subject property is less than \$665,000. Complainant testified that he believes that the BOE overvalued his property due to using inappropriate comparable sales. Complainant testified that he believes the comparable sales contained in *Exhibit A* are valid and better indication of the subject property's value. Upon cross examination Complainant testified that he submitted his proposed comparable sales to the BOE.

**4. Respondent's Evidence.** Respondent introduced two Exhibits which were admitted without objection. They are:

<b>Exhibit</b>	<b>Description</b>
1	BOE determination letter dated October 17, 2023
2	Appraisal Report prepared by Mr. Thomas Keevan

Respondent called Thomas Keevan (Mr. Keevan) as a witness. Mr. Keevan testified that he has been a licensed appraiser in Missouri for 41 years and worked for the Saint Louis County Assessor's office for two and half years. Mr. Keevan testified that he prepared an appraisal report in preparation for this hearing and found a value of \$707,000 for the subject property. *See Exhibit 2.*

Mr. Keevan testified that he reviewed Complainant's proposed comparable sales and used one of the sales in his appraisal report. Mr. Keevan considered the other comparables suggested by the Complainant but did not find them appropriate based upon comparisons between the date of sale, lot size, and above grade living space to the subject property.

Specifically, Mr. Keevan testified that Complainant's proposed comparable at 11908 Country Club Dr. has a lot that is less than half the size of the subject property, has 350 square feet less of above grade living space and the sale occurred in the year 2020. Mr. Keevan testified that significant market forces impacted values between the date of sale and assessment (January 1, 2023). Consequently, Mr. Keevan testified that he selected sales from late 2021 or closer to January 1, 2023 as the comparables in his appraisal report.

Mr. Keevan also testified regarding Complainant's proposed comparable located at 11920 Spring Dr. and it has 780 square feet less above grade living space than the subject property, has a lot size that is one-fifth the size of the subject property and the sale occurred early 2021. Mr. Keevan testified that this was the only comparable proposed by Complainant that occurred in the year 2021 as the other sales were in 2020.

Mr. Keevan testified regarding Complainant's proposed comparable located at 2200 Bopp Rd. This comparable is located on the same street as the subject property, has a lot that is less than half the size of the subject property and has three bedrooms.

Mr. Keevan next testified regarding Complainant's proposed comparable located at 12462 Balwyck and believes the sale is too dated to be utilized as a comparable. Mr. Keevan then testified that he used Complainant's proposed comparable located at 1833 Bopp Rd. in his appraisal report. *See Exhibit 1, Comparable Sale No. 1.*

Upon cross examination Mr. Keevan testified that he performed paired sales analysis when calculating the value of the subject property. Mr. Keevan testified that the location of the comparable sales in his appraisal report and the subject property did not require site adjustments as they are located on streets with similar characteristics. Therefore, the paired sales analysis indicated that a site adjustment was not warranted. Mr. Keevan further testified that he did not perform any adjustments for lot size between the comparables in his appraisal report and the subject property because they were all within one-tenth of an acre of the same size. Mr. Keevan testified that he believes his comparable sales are a better measure of value for the subject property and require less adjustments because they are closer in lot size, closer in square footage of living space, and have sales

closer to the date of Assessment of January 1, 2023, than the Complainant's proposed sales. Mr. Keevan testified that he did not perform a paired sales analysis of the Complainant's proposed comparable sales.

**5. Value.** The TVM of the subject property as of January 1, 2023, was \$665,000.

## **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 to support his opinion of value of less than \$665,000 for the subject property as of January 1, 2023.

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).

While Complainant offered a list of comparable sales which he believes are more determinative of the value of the subject property than those Respondent used, these sales are not persuasive evidence. Little information was provided by Complainant regarding the sale conditions of these properties for one to use them to accurately determine the value of the subject property. Additionally, these sales are not persuasive evidence as no adjustments were made to account for differences between the subject property and his proposed comparable sales (e.g. date of sale, lot size, living space, etc.). Further, Complainant did not propose a specific valuation for the subject property. The Complainant bears the burden of proving the BOE's valuation was incorrect and what the value should have been. Complainant did not provide substantial or persuasive evidence indicating the BOE's valuation was in error or an independent and specific valuation of his property.

Complainant presented the comparable sales in *Exhibit A* to the BOE and they lowered the valuation to \$665,000 from the Respondent's initial valuation of \$716,700. This action indicates the BOE did consider the Complainant's argument when they lowered the TVM of the subject property.

While a property owner's opinion of value is generally admissible, the opinion lacks "probative value where it is shown to have been based upon improper elements or an

improper foundation." *Shelby Cty. R-IV Sch. Dist. v. Herman*, 392 S.W.2d 609, 613 (Mo. 1965); *see also Cohen v. Bushmeyer*, 251 S.W.3d 345, 349 (Mo. App. W.D. 2008) (noting a property owner's opinion of value loses probative value when it rests on an improper foundation).

Complainant did not produce substantial and persuasive evidence showing that the subject property was overvalued. Therefore, Complainant's evidence does not provide the necessary foundation and elements to support his overvaluation claim. Because the STC "cannot base its decision on opinion evidence that fails to consider information that should have been considered" under a recognized approach to value, *Snider*, 156 S.W.3d at 348, the BOE decision is affirmed.

### **CONCLUSION AND ORDER**

The BOE decision is affirmed. The TVM of the subject property as of January 1, 2023, was \$665,000.

### **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](mailto: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 13, 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