



# STATE TAX COMMISSION OF MISSOURI

PAUL MAYER, )  
 ) Appeal No. 23-10176  
 ) Parcel No. 22K210524  
 )  
 Complainant(s), )  
 )  
 )  
 v. )  
 )  
 )  
 JAKE ZIMMERMAN, ASSESSOR, )  
 ST. LOUIS COUNTY, MISSOURI, )  
 )  
 )  
 Respondent. )

## DECISION AND ORDER

(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 \$690,600. Complainant alleges overvaluation and claims that the TVM as of that date was \$489,729.<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 \$690,600.

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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 February 27, 2025, via Webex. Complainant appeared *pro se* via Webex. 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 200 Hawthorne Ave., St. Louis County, Missouri with a Parcel ID of 22K210524.

**2. Assessment and Valuation.** Respondent classified the subject property as residential and determined the TVM on January 1, 2023, was \$690,600. The BOE independently determined the TVM of the subject property as of January 1, 2023, was \$690,600.

**3. Complainant's Evidence.** Complainant introduced several Exhibits which were admitted without objection. They are described as follows:

Label	Description
A	Change of Assessment Notice from St. Louis County for subject property (labelled page 1 by Complainant)
B	Photocopy of subject property's subdivision with details of four sales (labelled page 2 by Complainant)
C	Photocopy of subject property's subdivision with details of six assessments in the subject property's subdivision (labelled page 3 by Complainant)

D	Four pages of real estate information from the St. Louis County Assessor's website about subject property (labelled pages 4-7 by Complainant)
E	Picture of basement of subject property (labelled page 8 by Complainant)
F	Two pictures of crawl space of subject property (labelled pages 9 & 10 by Complainant)
G	Photo of driveway of subject property (labelled page 11 by Complainant)

Complainant testified that his opinion of value as of January 1, 2023, for the subject property is \$489,729, which is a six percent increase of his property's 2021 valuation. *See Exhibit A.* Complainant further testified that he thinks his house should be valued at \$212 per square foot. *See Exhibit A.* Complainant testified that he believes that the Assessor overvalued his property based upon three arguments; specifically: (1) failure to account for several condition issues with the subject property, (2) failure to use appropriate comparable sales and (3) failure to maintain consistency between assessment increases within the subject property's neighborhood. *See Exhibits B & C.*

Complainant testified that he has made no improvements to his house in twenty years and does not believe that the TVM of his property should have increased from \$462,000 in 2021 to \$690,600 in 2023 due to the lack of change in the condition of his home. *See Exhibit A.* Complainant questioned how Respondent increased the value of 'improvements' on his property when he has made no such improvement. *See Exhibit D.* Additionally, Complainant believes the Respondent failed to account for condition issues with his property. The issues include but are not limited to: (1) a rock driveway, (2) an

unfinished basement, (3) wood and vinyl siding, (4) lack of swimming pool and a (5) detached garage. *See Exhibits B, E, F & G.* Complainant argues that these conditions are not present in the other properties in his neighborhood as many of the homes are in better condition. Consequently, Complainant believes his valuation has been inflated due to comparison to such properties. *Id.*

Complainant also argues that the Respondent utilized inappropriate comparable sales in calculating the TVM of his property and suggested three alternatives. They are 45 Glen Rd., 35 Mason Ave., and 400 Glen Rd. Complainant testified these are better indicators of the TVM of his property because his neighborhood has a large variety of homes with different interior and exterior conditions (e.g. neighborhood homes have brick, wood, stucco and vinyl siding on exterior). Complainant did not perform any research on the sales other than confirming the sale price. Complainant also testified that the sale of 400 Glen Rd. reduced his property's 2021 valuation and that this property should be a basis to decrease his 2023 valuation, especially when considering their respective increases in valuation from 2022 to 2023. *See Exhibit B.*

Complainant also claims that the TVM of his property is incorrect because the respective increases in the assessments for properties in his subdivision are inconsistent. Complainant testified regarding the assessment of six properties: (1) 203 Hawthorne Ave. (19% increase), (2) 211 Hawthorne Ave. (38% increase), (3) 216 Hawthorne Ave. (2.6% increase), (4) 219 Hawthorne Ave. (2.6% increase), (5) 221 Hawthorne Ave. (38% increase) and (6) 234 Glen Rd. (5.8% increase). Complainant argues that this variety of

change in value demonstrates that his property has been overvalued. Complainant also testified that these homes were in nicer condition than his on January 1, 2023.

Upon cross examination Complainant testified that he is not a licensed appraiser in Missouri and has received no such training or education. Complainant also testified that he did not make any market-based adjustments to the comparable sales about which he testified.

**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 \$690,600.

## **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 \$489,729 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 the several condition issues for the subject and the differences between the condition of his property with those in his neighborhood. Complainant submitted photos of his house as well. However, Complainant offered no professional analysis completed by someone trained to analyze such condition issues and to show the negative impact they had on the property on the assessment date, January 1, 2023. Complainant testified regarding the condition of other homes in his neighborhood;

however, there was no supporting evidence beyond his opinion of these conditions.

Complainant also suggested valuing his property at \$212 per square foot; however, comparing properties' price per square foot is not a legally recognized method for valuation. Analyzing comparable sales and making adjustments to those sales is the common method for valuation of residential property. In this case, no such adjustments were made; therefore, there is no valid basis to disturb the BOE's valuation based upon the Complainant's proposed comparable sales.

Complainant also argues that the inconsistent increases in assessments throughout his subdivision demonstrate that his property is overvalued. This argument is without merit because comparing assessments is not a legally recognized method to value property in Missouri. Many factors influence assessments (e.g. additions to property, natural disaster, market conditions, date of most recent sale, etc.) and percentage increases will vary widely. This unpredictability in assessment valuation from property to property demonstrates why recent comparable sales is the most utilized method for the valuation of residential property (i.e. a recent sale can best account for factors which make changes between different property assessments vary).

Lastly, Complainant claimed the Respondent erred in increasing the value of the 'improvements' of his property. *See Exhibit D.* '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.

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 \$690,600.

### **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<sup>th</sup>, 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