



STATE TAX COMMISSION OF MISSOURI

JAMES FULLER,)
)
 Complainant(s),)
) Appeal No. 23-11334
 v.)
)
 JAKE ZIMMERMAN, ASSESSOR,)
 ST LOUIS, COUNTY, MISSOURI,)
 Respondent.)

DECISION AND ORDER

James Fuller (Complainant) appealed valuations of the subject personal property, specifically the 2007 BMW 6 Series Convertible 2D 650i 4.8L V8 (2007 BMW) and the 2020 GMC Sierra 1500 Extended Cab Elevation 4WD 5.3L V8 (2020 Sierra), determined by Jake Zimmerman, Assessor, St. Louis County, Missouri (Respondent). Complainant appealed to the St. Louis County Board of Equalization (BOE), and then subsequently appealed to the State Tax Commission (STC) after receiving notification of the valuations upon receiving the 2023 tax bill. Respondent determined the true value in money of the subject property to be \$36,180 for the 2020 Sierra and \$4,740 for the 2007 BMW. Complainant claimed overvaluation and produced substantial and persuasive evidence establishing overvaluation in regard to the 2020 Sierra but not the 2007 BMW. Respondent presented substantial and persuasive evidence to establish the true value in money of the

subject property as of January 1, 2023 in regard to the 2007 BMW.¹ Complainant participated in the hearing via Webex and introduced evidence. Respondent was represented at the hearing by counsel, Ellen Kelly.

Subject Property.

The subject property is a 2007 BMW and a 2020 Sierra.

Respondent and BOE.

Respondent determined the trade-in value of the subject property on January 1, 2023, was \$36,180 for the 2020 Sierra and \$4,740 for the 2007 BMW. The BOE independently considered this matter and determined the average trade-in value of the 2020 Sierra was \$35,875 and \$3,200 for the 2007 BMW. Respondent and the BOE used the October, 2022 issue of the National Automobile Dealers’ Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9.

Complainant’s Evidence.

Complainant submitted the following Exhibit(s):

Exhibit	Description	Ruling
A	Repair Estimate from ‘Elite Custom & Collision’ for the 2020 Sierra dated November 14, 2022	Admitted
B	Repair Estimate from ‘Maaco’ for the 2007 BMW	Admitted

Complainant testified that the valuation of the subject personal property (2007 BMW and the 2020 Sierra) should be lowered due to delayed maintenance and existing

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, Section 14; section 138.430.1, RSMo 2000. All statutory citations are to RSMo 2000, as amended.

body damage. Complainant testified that the 2020 Sierra experienced body damage due to a collision in the city of St. Louis shortly before November 14, 2022. Complainant further testified that the damages have not been repaired to date and were present on January 1, 2023. Complainant testified that the delayed maintenance on the Sierra mostly relates to the truck being lifted and requiring more such maintenance, such as needing tires, brakes and fluids. Complainant further testified that the 2007 BMW has damage to the lower driver side door that occurred prior to January 1, 2023, and that this damage has not been repaired. Complainant also testified that it is cost prohibitive to make repairs to the 2007 BMW.

Respondent's Evidence.

Respondent submitted the following Exhibits:

Exhibit	Description	Ruling
1	Personal Property Individual Declaration	Admitted
2	J. D. Power vehicle information sheet as of October 1, 2022 pertaining to a 2007 BMW corresponding to the Complainant's VIN	Admitted
3	J. D. Power vehicle information sheet as of October 1, 2022 pertaining to a 2020 Sierra corresponding to the Complainant's VIN	Admitted
4	BOE Decision Letter dated November 2, 2023	Admitted

Suzanne Strain (Ms. Strain), personal property manager in the St. Louis County Assessor's office for thirteen years, testified that Respondent utilized the average trade-in value indicated for the 2007 BMW of \$4,740 and the assessed value was \$1,580. Ms. Strain further testified that the BOE independently determined the trade-in value of the 2007 BMW to be \$3,200 due to its condition with an assessed value of \$1,070, rounded. *See*

Exhibit 2. The BOE changed the valuation of the 2007 BMW by using the ‘Rough’ condition value from the October, 2022 issue of the National Automobile Dealers’ Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9. *See Exhibit 2.*

Ms. Strain also testified that the average trade-in value for the 2020 Sierra was initially set at \$36,180 by the Respondent. Ms. Strain testified that the BOE lowered the average trade-in value to \$35,875 with an assessed value of \$11,960, rounded. *See Exhibit 3.* Ms. Strain testified that the BOE did not have the information relating to the damages to the 2020 Sierra. *See Exhibit A.* Ms. Strain testified that the cumulative impact of the BOE decision was to change the assessed value of the subject property to \$13,030 from \$13,650. *See Exhibit 4.*

Assessment and Valuation Principles

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. Personal property is assessed at 33.33% of its true value in money as of January 1 of each year. Section 137.115.5. Pursuant to Section 137.115.9 “[t]he assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers’ Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of the motor vehicles described in such publication. The assessor

shall not use a value that is greater than the average trade-in value in determining the true value of the vehicle without performing a physical inspection of the motor vehicle. ...”.

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). 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.

Complainant's Burden of Proof

The Complainant bears the burden of proving the vital elements of the case, i.e., the assessment was “unlawful, unfair, improper, arbitrary or capricious.” *Westwood Partnership*, 103 S.W.3d 152 (Mo. App. E.D. 2003); *Daly v. P.D. George Co.*, 77 S.W.3d 645 (Mo. App. E.D. 2002); *Reeves v. Snider*, 115 S.W.3d 375 (Mo. App. S.D. 2003); *Industrial Development Authority of Kansas City v. State Tax Commission of Missouri*, 804 S.W.2d 387, 392 (Mo. App. W.D. 1991). The taxpayer's evidence must be both "substantial and persuasive." *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*, 722 S.W.2d at 77 (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").

Complainant Proved Overvaluation for the 2020 Sierra.

Complainant's evidence and testimony proved overvaluation of the 2020 Sierra. *See Exhibit A.* Complainant's estimate for repairs provides substantial and persuasive evidence that the condition of the 2020 Sierra warrants modifying the valuation by utilizing average trade-in value for a vehicle in rough condition. The BOE did not have access to the information necessary to determine the condition of the 2020 Sierra when they considered this matter as confirmed by Ms. Strain. Therefore, using the 'Rough' condition as the basis of the average trade-in value will increase the accuracy of the 2020 Sierra's value.

Complainant Did Not Prove Overvaluation of the 2007 BMW.

The testimony of Respondent's witness, Ms. Strain, was credible. Respondent's evidence was substantial and persuasive in determining the true value in money of the 2007 BMW of subject property on the relevant date using the method prescribed by law.

CONCLUSION AND ORDER

The true value in money of the 2020 Sierra as of January 1, 2023 was \$34,000 with an assessed value of \$11,340, rounded. The true value in money of the 2007 BMW as of January 1, 2023 was \$3,200 with an assessed value of \$1,070, rounded. The combined assessed value of the subject property is \$12,410.

Application for Review

A party may file with the Commission 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, 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, as well as 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 said taxes have been disbursed pursuant to a court order under the provisions of section 139.031.

So ordered February 20, 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 20, 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