



STATE TAX COMMISSION OF MISSOURI

NICHOLAS HOVEN,)
)
 Complainant(s),)
) Appeal No. 24-10358
 v.)
)
 JAKE ZIMMERMAN, ASSESSOR,)
 ST LOUIS, COUNTY, MISSOURI,)
 Respondent.)

DECISION AND ORDER

Nicholas Hoven (Complainant) appealed the valuations of the subject personal property, specifically the 2021 Subaru Ascent Utility 4D Touring 7-Passenger AWD (2021 Subaru) and the 2014 Ford Fusion Sedan 4D SE 2.5L (2014 Fusion), determined by Jake Zimmerman, Assessor, St. Louis County, Missouri (Respondent). Complainant did not appeal to the St. Louis County Board of Equalization (BOE), but appealed directly to the State Tax Commission (STC) after receiving first notification of the valuations upon receiving the 2024 tax bill. Respondent determined the true value in money of the subject property to be \$34,550 for the 2021 Subaru and \$5,725 for the 2014 Fusion. Complainant claimed overvaluation but did not produce substantial and persuasive evidence establishing overvaluation. Respondent presented substantial and persuasive evidence to establish the

true value in money of the subject property as of January 1, 2024.¹ Complainant participated in the hearing via Webex. Respondent was represented at the hearing by counsel, Ellen Kelly.

Subject Property.

The subject property is a 2021 Subaru and a 2014 Fusion.

Respondent and BOE.

Respondent determined the trade-in value of the subject property on January 1, 2024, was \$34,550 for the 2021 Subaru and \$5,725 for the 2014 Fusion. Respondent used the October, 2023 issue of the National Automobile Dealers' Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9. There was no Board of Equalization decision regarding the property.

Complainant's Evidence.

Complainant testified that he questions the metrics utilized by the Respondent to calculate valuations for personal property. Complainant testified that he does not believe the subject property could command the valuation utilized by the Respondent if he were to sell the property on the open market. Complainant testified that he understands there are various sources for rates to increase and decrease valuations; however, he argues the Respondent relied upon faulty metrics due to the disparity between the Respondent's valuation and what he believes the subject property would be priced in a private party sale.

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.

Complainant believes that a combined assessed valuation of the subject property should be \$7,000. Complainant believes that there is an error in the valuation process for vehicular personal property in the reliance upon National Automobile Dealers’ Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9.

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, 2023 pertaining to the 2021 Subaru	Admitted
3	J. D. Power vehicle information sheet as of October 1, 2023 corresponding to the 2021 Subaru with the Complainant’s VIN	Admitted
4	J. D. Power vehicle information sheet as of October 1, 2023 pertaining to the 2014 Fusion	Admitted

Suzanne Strain, personal property manager in the St. Louis County Assessor’s office for twelve years, testified that Respondent utilized the average trade-in value indicated for the 2021 Subaru was \$34,550. *See Exhibits 2 & 3.* Ms. Strain also testified that the average trade-in value of the 2014 Fusion was \$5,725. *See Exhibit 4.* Ms. Strain testified the average trade-in value was based on the October, 2022 issue of the National Automobile Dealers’ Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9. Ms. Strain further testified that calculating one third of the average trade-in value for the vehicles as required by law, Respondent assessed the 2021 Subaru at \$11,520, rounded and the 2014 Fusion at \$1,920, rounded. Ms. Strain lastly testified that there was

a rounding error in the assessed value of the 2014 Fusion and the assessed value should be \$1,910.

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 Did Not Prove Overvaluation.

Complainant's testimony did not prove overvaluation because it failed to provide substantial and persuasive evidence of the value of the 2021 Subaru and the 2014 Fusion as of January 1, 2024. Complainant's argument that reliance upon the National Automobile Dealers' Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9 is a flawed means to value property is without merit. The Hearing Officer understood the Complainant's argument that the disparity between what he believed his personal property would sell for in a private party transaction did not equate to the Respondent's computations. However, Complainant offered no proof beyond his testimony to support this claim. Consequently, this argument is speculative as there is no

supporting evidence. Based upon the reasoning above, Complainant fails to meet his burden of proof.

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

CONCLUSION AND ORDER

The true value in money of the 2021 Subaru as of January 1, 2024 was \$34,550 with an assessed value of \$11,520, rounded. The true value in money of the 2014 Fusion as of January 1, 2024 was \$5,725 with an assessed value of \$1,910, rounded.

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