



# STATE TAX COMMISSION OF MISSOURI

JAMES CONNOLLEY, ) Appeal No. 23-110370  
 ) Parcel No. 24Y430243  
 Complainant, )  
 )  
 v. )  
 )  
 JAKE ZIMMERMAN, ASSESSOR, )  
 ST. LOUIS COUNTY, MISSOURI, )  
 )  
 Respondent. )

## DECISION AND ORDER

James Connolley Complainant) appeals the St. Louis County Board of Equalization's (Respondent) decision valuing the subject residential property at \$994,400 as of January 1, 2023.<sup>1</sup> Complainant alleges overvaluation and asserts the true value in money (TVM) of the subject property was \$750,000 as of the assessment date. Complainant did not produce substantial and persuasive evidence establishing overvaluation. The BOE decision is affirmed. The TVM of the subject property as of January 1, 2023, is \$994,400.

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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 July 9, 2025, via Webex. Complainant appeared *pro se*. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Kevin Wyatt. The case was heard and decided by Senior Hearing Officer Benjamin C. Slawson.

**FINDINGS OF FACT**

**1. The Subject Property.** The subject residential property consists of a single-family home located at 2817 St. Albans Forest Ct., Saint Louis County, Missouri. The Parcel ID number is 24Y430243.

**2. Assessment and Valuation.** Respondent determined the subject property's appraised value was \$994,400 as of January 1, 2023. The BOE independently determined that the subject's appraised value as of January 1, 2023, was \$994,400.

**3. Complainant's Evidence.** Complainant offered the following exhibits which were admitted without objection from Respondent:

<b>Exhibit</b>	<b>Description</b>
A (A-F)	12-Page document including arguments for overvaluation, comparative assessments of other comparable properties, Change of Assessment Notice and other correspondence received from Respondent, quote for glass replacement for windows
B (P1-P8)	Photographs of condition issues of subject property

Complainant and his wife Rita Connolley testified at the hearing. They stated that their opinion of value for the property is \$750,000 based on the subject's "age,

condition/depreciation, location, etc.” (Exhibit A). Complainant testified that the \$750,000 is about a 10% increase from the 2021 valuation which he believes is fair and more in line with other homes in the area. Complainant and his wife testified that they feel as though Respondent singled out their property as they experienced an increase of 44% from 2021 to 2023 and the comparables Respondent used to assess the subject only experienced an average of 12.3%. Complainant also believes the subject is overvalued because it is in poorer condition than Respondent’s comparables. Complainant and his wife testified that there are serious maintenance issues with the subject, particularly the windows which are in bad condition. Other issues include sinking and pitted walk pavers, driveway cracks, siding damage, foundation spalling, and a crumbling retaining wall. Complainant submitted photographs evidencing some of these condition issues (Exhibit B). Complainant testified that no updates or renovations have been made to the property. The subject is a 25-year old home. Neither Complainant nor his wife are licensed appraisers.

**4. Respondent's Evidence.** Respondent introduced Exhibit 1, consisting of the October 17, 2023, BOE decision letter for the subject property. Exhibit 1 shows the BOE valued the subject property at \$994,400. Exhibit 1 was admitted into the record.

**5. Value.** The TVM of the subject property as of January 1, 2023, was \$994,400.

### **CONCLUSIONS OF LAW**

**1. Assessment and Valuation.** Residential real property is assessed at 19% of its TVM as of January 1 of each odd-numbered year. Sections 137.115.1; 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). The TVM "is a function of [the property's] highest and best use[.]" *Snider*, 156 S.W.3d at 346. "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.** 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). “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).

**3. Complainant’s Burden of Proof.** The taxpayer bears the burden of proof and must show by a preponderance of the evidence the property is 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” on the assessment date. *Id.* See also *Hermel, Inc. v. State Tax Commission*, 564 S.W.2d 888, 897 (Mo. banc 1978). “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”).

Property owners are competent to testify to the reasonable fair market value of their property. *Cohen*, 251 S.W.3d at 348. However, if owner's testimony is based on "improper elements or an improper foundation[.]" it is not substantial and persuasive evidence rebutting the presumptively correct BOE value. *Id.* at 349.

### **3. Complainant Did Not Produce Substantial and Persuasive Evidence of Overvaluation.**

Complainant did not produce substantial and persuasive evidence to support Complainant's \$750,000 opinion of value. Complainant introduced no evidence pertaining to a recognized valuation method. Complainant did not produce any evidence supporting a comparable sales approach, income approach, or cost approach.

Complainant testified that a 44% increase compared to other neighboring properties is unfair. However, although reasonable to assume that two similar properties should be valued similarly, comparative assessment is not the method used to find a TVM for a property. The comparable sales approach is typically used to value residential properties improved with a single-family home like the subject. "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 did not offer testimony of an appraiser, nor an appraisal of the property as evidence of the TVM of the property as of January 1, 2023. Therefore, Complainant did not produce substantial and persuasive evidence showing that the subject property was overvalued based on comparable sales data. While Complainant testified that he submitted comparable sales data, upon examination of Exhibit A it is evident that the

data contained there for is not data of actual comparable sales but Respondent's appraised values of neighboring properties for assessment purposes.

Complainant is not a licensed appraiser. Complainant testified that the subject suffers from many condition issues and that many aspects of the home have never been updated. However, Complainant offered no evidence actually quantifying alleged adverse value of these undesirable features of the subject as of January 1, 2023. In other words, Complainant offered no professional analysis completed by someone trained to analyze such attributes and to show the deleterious effect they had on the property on the assessment date, January 1, 2023. As a non-professional in the appraisal industry, Complainant's lay opinion is therefore speculative.

In order to prove overvaluation, the taxpayer must not only prove that the assessment is erroneous, but *must also must prove "the value that should have been placed on the property" on the assessment date*. *Hermel, Inc. v. State Tax Commission*, 564 S.W.2d 888, 897 (Mo. banc 1978). Emphasis added. Complainant did not produce substantial and persuasive evidence showing that the BOE's value was incorrect, nor did he prove the TVM on the assessment date. Property owners are competent to testify to the reasonable fair market value of their property. *Cohen*, 251 S.W.3d at 348. However, if owner's testimony is based on "improper elements or an improper foundation[,]" it is not substantial and persuasive evidence rebutting the presumptively correct BOE value. *Id.* at 349. 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, is \$994,400.

### 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 March 6, 2026.

Benjamin C. Slawson

Senior Hearing Officer  
State Tax Commission

Certificate of Service

I hereby certify that a copy of the foregoing has been electronically mailed and/or sent by U.S. Mail on March 6, 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