



# STATE TAX COMMISSION OF MISSOURI

GWENDOLYN J CROCKETT, ) Appeal No. 23-111929  
 ) Parcel No. 14H210206  
Complainant, )  
 )  
v. )  
 )  
JAKE ZIMMERMAN, ASSESSOR, )  
ST. LOUIS COUNTY, MISSOURI, )  
 )  
Respondent. )

## DECISION AND ORDER

Gwendolyn Crockett Complainant) appeals the St. Louis County Board of Equalization's (Respondent) decision valuing the subject residential property at \$243,600 as of January 1, 2023.<sup>1</sup> Complainant alleges overvaluation and asserts the true value in money (TVM) of the subject property was \$194,000 as of the assessment date. Complainant did not produce substantial and persuasive evidence establishing that the subject property's TVM was \$194,000 as of January 1, 2023. The BOE decision is affirmed. The TVM of the subject property as of January 1, 2023, is \$243,600.

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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 June 3, 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 7315 Pasadena Blvd., Saint Louis County, Missouri. The Parcel ID number is 14H210206. Complainant described the property as a brick two-story structure with four units of each less than 600 square feet, each with one bedroom each. There are two garages in the lower level, with one entrance in the front and one in the back.

**2. Assessment and Valuation.** Respondent determined the subject property's appraised value was \$243,600 as of January 1, 2023. The BOE independently determined that the subject's appraised value as of January 1, 2023, was \$243,600.

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

<b>Exhibit</b>	<b>Description</b>
A	Crockett Letter from the St. Louis County Board of Equalization Decision 2023 Dec 11
B	Crockett_2022 Dec Cardinal Residential Reroof bid - Updated (2)
C	Crockett_2022 Dec Cardinal Residential Reroof bid - Updated (1)

D	Crockett_2022 Dec 14 Cost Received dtd 2022 Oct 12_Advanced Environmental Services, Inc.
E	Crockett_2023 Jul 2 BOE Online Property Appeal - 14H210206
F	Crockett_Inspection 23Dec2020 PASSED (3)
G	Crockett_7311 Pasadena Print All_ 14H220308 - 2023
H	Crockett eMail to County to Resolve

Complainant testified that her opinion of value for the property as of January 1, 2023, is \$194,000 which is based on the BOE value minus her estimated cost of repairs to fix issues that were found by the City of Pasadena Hills when they performed a building inspection in late 2020.<sup>2</sup> Complainant believes the subject was overvalued by Respondent because she believes that he did not take into account this deferred maintenance that had to be done on the subject property, including but not limited to a roof replacement (\$23,037.88<sup>3</sup>) and an asbestos abatement (\$19,650)<sup>4</sup>, both which were performed in 2022. Complainant also testified that she obtained assessment information for 7311 Pasadena Blvd<sup>5</sup>, a neighboring property, and believes Respondent overvalued the subject compared to his assessment of that property.

Last, Complainant testified that she had no notice of any inspection that was performed by Respondent. She argues that even if one did occur, any such inspection did

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<sup>2</sup> Exhibit F.

<sup>3</sup> Exhibit B.

<sup>4</sup> Exhibit D.

<sup>5</sup> Exhibit G.

not account for internal conditions of the subject property.<sup>6</sup> Complainant testified that she did not request an internal inspection from Respondent. Complainant testified that she submitted the same evidence to the BOE except for perhaps the building inspection report from Pasadena Hills (Exhibit F). Complainant is not a licensed appraiser in the state of Missouri.

**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 \$243,600. Exhibit 1 was admitted into the record without objection. Respondent also submitted Exhibit 2, a copy of an inspection notice purportedly posted by Respondent at the subject property on April 10, 2023.

**5. Value.** The TVM of the subject property as of January 1, 2023, was \$243,600.

### 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

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<sup>6</sup> Following the hearing, the record was left open until June 10, 2025, for Respondent to submit additional evidence regarding notice of an exterior inspection. Respondent submitted Exhibit 2 (door hanger notice) and Complainant, in an email, responded that while Respondent did submit evidence of an external inspection, that: "I sense the respondent did not conduct an internal assessment inspection, did not initiate and schedule an appointment for an internal assessment inspection and cannot confirm that I received the door hanger; thus, the external drive-by assessment did not incorporate any internal property conditions." June 13, 2025, Email from Complainant.

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 \$194,000 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.

First, Complainant compared the assessment of the subject with that of 7311 Pasadena Blvd. 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. Complainant testified her opinion of value was calculated by taking the BOE valuation and subtracting the cost of repairs in 2022. However, this also is not an accepted approach to value.

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.

Complainant is not a licensed appraiser. Complainant argues that the repair costs negatively affect the value of the property on the assessment date. However, Complainant offered no evidence quantifying alleged adverse value this had on 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 the repair costs had on the property on the assessment date, January 1, 2023. As a non-professional in the appraisal industry, Complainant's lay opinion is speculative.

Complainant testified that she was unaware of the performance of any inspection of the property by Respondent. Respondent submitted Exhibit 2 post-hearing while the record remained open. Exhibit 2 is a postcard notice of an exterior inspection being purportedly performed by one of Respondent's employees on April 10, 2023. However, to the extent Complainant argues Respondent's assessment is in violation of Section 137.115, RSMo inspection requirements, a claim which switches the burden of proof to Respondent, such a claim was not properly submitted in Complainant's Complaint for Review (C4R) as and additional ground for her appeal.<sup>7</sup> Therefore, any such claim cannot be adjudicated.

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

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<sup>7</sup> The only box checked in the C4R was "Overvaluation."

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 \$243,600.

### **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. 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