



STATE TAX COMMISSION OF MISSOURI

NORMAN MATTHEWS,)
)
Complainant,)
) Appeal No. 24-78000 & 24-78001
v.) Parcel No. 4082.00 & 9776.00
)
TIM KEAN, ASSESSOR,)
PHELPS COUNTY, MISSOURI,)
)
Respondent.)

DECISION AND ORDER

Norman Matthews (Complainant) appeals the Phelps County Board of Equalization's decision valuing the subject residential property located at 10376 County Road 2020, Rolla, at \$22,210 as of January 1, 2024, and the property located at 14050 Private Drive 8154, Rolla, Missouri at \$94,891. Complainant alleges overvaluation. The BOE decision is affirmed.¹

The evidentiary hearing was held on February 25, 2026, via Webex before Senior Hearing Officer Todd D. Wilson. Complainant appeared pro se. Respondent was present in person. The hearing was set to begin at 9:00 a.m. in accordance with the Order Scheduling the Evidentiary Hearing sent to the parties on January 30, 2026. Complainant did not appear at the scheduled time.

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

Complainant subsequently appeared. Respondent agreed to return to attend the Hearing which began at approximately 10:18 a.m.

FINDINGS OF FACT

1. The Subject Property. The subject property in appeal 24-78000 consists of approximately .75 acres on which an abandoned, uninhabitable, residence is located. It is located at 10376 County Road 2020, Rolla, Phelps County, Missouri. The parcel number is: 4082.00.

The subject property in appeal 24-78001 consists of approximately 23.5 acres, of which 3.5 acres is classified residential and 20 acres is classified as agricultural. There are three separate homesites on the parcel, two have mobile homes and one has a stick-built residence. All three homesites have utilities, water, and septic systems. The property is located at 14050 Private Drive 8154, Rolla, Phelps County, Missouri. The parcel number is 9776.00.

2. Assessment and Valuation. Respondent determined that the subject property's value as of January 1, 2023², was \$26,720 for appeal 24-78000 and \$94,890 for appeal 24-78001. The BOE determined the subject property's appraised value as of January 1, 2023, was \$22,210 and \$94,890 respectively.

3. Complainant's Evidence. Complainant introduced the following Exhibits:

Exhibit	Description	Objection
A	Packet of information 24 pages	None
B	Same as Exhibit A	None
C	Assessment info on adjacent property	Not filed in time
D	Photo of adjacent property & BOE letter	Not filed in time
E	Same as Exhibit D	Not filed in time

² The values of the properties were appealed for 2024. The values were not appealed for 2023. Real property is assessed as of January 1 of each odd-numbered year. Sections 137.115.1; 137.115.5(1)(a) setting the values for a two year period, therefore, the value as of January 1, 2023 is the same as the value for January 1, 2024.

Complainant introduced Exhibit A consisting of a physical Deterioration calculation, excerpt regarding Economic obsolescence attributable to a building and information that appears to be from the Property Record Card of the properties along with emails and other information. Exhibit B was the same information as Exhibit A. Respondent did not object to the Exhibits and they are received.

Complainant emailed Exhibits C, D and E on February 24, 2026, the day prior to the Evidentiary Hearing with D and E sent after business hours. Exhibits C, D and E are emails with information and photos. Respondent objected to Exhibits C, D and E as they were not provided at least 5 days prior to the hearing in accordance with the Scheduling Order. The Scheduling Order sets out instructions for submitting materials at least 5 days prior to the hearing. The Order was sent to Complainant on January 30, 2026, with an email from the Hearing Officer also setting out the deadline for submitting exhibits. There are several emails from Complainant to the Hearing Officer on February 2, 3 and 5 and Exhibits A and B were submitted by Complainant on February 2, 2026. Respondent's objection is sustained, Exhibits C, D and E are not received and the information contained in them is not considered in this Decision.

Complainant testified that he has attempted to sell the property in appeal 24-78000 for \$20,000 and has not been able to do so. On cross examination, Complainant stated that he had not listed the property with a realtor, but was trying to sell the property by word of mouth. Complainant stated that the residence on the property in appeal 24-78000 needs to be demolished as it is not and will not ever be habitable. Complainant believes that the TVM of this property is less than \$20,000 as he has been unable to sell it for that amount.

Complainant testified about prior assessment cycles and the 2025 values of the properties, and his inability to understand the breakdown of the values on his properties. Complainant stated

that he is concerned that the mobile homes on appeal 24-78001 are being taxed both as personal property and as real property. Complainant stated that both mobile homes and the other residence are in very poor condition. Complainant asserts that the value of this property is \$75,000. When asked for the basis of that value, Complainant stated that it is based on his experience buying and selling properties. Complainant stated that in the last 5 years, he has sold one other property. The Complainant is not an appraiser and does not have any formal training making adjustments to comparable sales.

4. Respondent's Evidence. Respondent introduced Exhibits 1 and 2 in each appeal. Exhibit 1 is the Property Record Card with photos. Exhibit 2 is a copy of the BOE minutes from the applicable BOE hearing. The Exhibits were received without objection.

Respondent testified regarding the values of the properties. In appeal 24-78000, Respondent stated that the real value of the property is the land and that the water, utilities and sewer are available at the site. Respondent agreed that the structure only has salvage value.

In appeal 24-78001, Respondent testified that the mobile homes are not taxed as real estate, but as personal property. Respondent stated that he had, personally, visited the property and corrected some minor errors on the property record card. Respondent stated that most of the residential value of the property is in the three separate homesites, each with water, utilities and septic service, not the structures of the residence and the outbuildings. Respondent stated that he had met with Complainant on three occasions, once at the property and twice in Respondent's office to attempt to explain the method and manner of valuing Complainant's property

5. Value. The TVM of the subject property as of January 1, 2024, was \$22,210 for appeal 24-78000 and \$94,890 for appeal 24-78001.

CONCLUSIONS OF LAW

1. Assessment and Valuation. Residential real property is assessed at 19% of its TVM and agricultural land is assessed at 12% 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).

The TVM of a property is typically determined by the sales comparison approach, the income approach, or the cost approach. *Snider v. Casino Aztar/Aztar Missouri Gaming Corp.*, 156 S.W.3d at 346-48.

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." *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").

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.

4. Complainant Did Not Produce Substantial and Persuasive Evidence of Overvaluation.

Complainant proposes a value for the property based upon his experience and the condition of the property. Complainant did not produce substantial and persuasive evidence rebutting the presumptively correct BOE value. Complainant did not produce evidence supporting a comparable sales approach, income approach, or cost approach to value.

Complainant testified about the prior assessment cycles, the 2025 values placed on the property by Respondent, the BOE process and the condition of his property, but had no analysis completed by someone trained to analyze such situations to show the monetary effect of the

condition on the value of the subject property. One sale of property in the last five years does not rise to the level of experience needed to rebut the presumptively correct value of the BOE.

Neither Complainants' exhibits nor testimony utilized the comparable sales approach, income approach, or cost approach to support the proposed value. 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

Complainant did not produce substantial and persuasive evidence of overvaluation. The BOE decision is affirmed. The TVM of the subject property as of January 1, 2024, was \$22,210 for appeal 24-78000 and \$94,890 for appeal 24-78001.

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 Phelps 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.

STATE TAX COMMISSION OF MISSOURI

Todd D. Wilson
Senior 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 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