



STATE TAX COMMISSION OF MISSOURI

DESRE DE ANN BERNARD,)
)
 Complainant,)
) Appeal No. 25-300047
 v.) Parcel No. 45710020800000000
)
 PHIL LEVOTA, COUNTY EXECUTIVE)
 JACKSON COUNTY, MISSOURI,)
)
 Respondent.)

DECISION AND ORDER

Desre De Ann Bernard (Complainant) appeals the Jackson County Board of Equalization's decision valuing the subject residential property at \$185,000 as of January 1, 2023. Complainant alleges overvaluation. The BOE decision is affirmed.¹

The evidentiary hearing was held on June 25, 2026, via Webex before Senior Hearing Officer Todd D. Wilson. Complainant appeared pro se. Respondent was represented by Eric Honea.

FINDINGS OF FACT

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.

1. The Subject Property. The subject property consists of a residential lot on which is located, an 1147 square foot, 3 bedroom, 2 bath residence without a basement. The house was constructed about 1957, located at 7515 Harris Ave, Raytown, MO 64138. The parcel number is: 45710020800000000.

2. Assessment and Valuation. Respondent determined that the subject property's True Value in Money (TVM) as of January 1, 2023, was \$216,890. The BOE determined the subject property's TVM as of January 1, 2023, was \$185,000. The TVM of the property for 2023 & 2024 was \$188,600.

3. Complainant's Evidence. Complainant introduced Exhibit A, an email sent on June 24, 2026 with an explanation of Complainant's argument and a comparison of the Assessed value of the subject property to other properties in the area. Respondent objected to the Exhibit for relevance. The objection was overruled and the Exhibit was received and given the weight due.

Complainant is a licensed realtor. Complainant testified about the condition of her property, that the roof is 11 years old, that the bathroom fixtures are original, and that the kitchen is dated. Complainant does not believe that the comparable sales used by Respondent are comparable to her property as they are move-in ready and her property is not. Complainant testified that after reviewing the condition of her home, the sales of properties in the area and the assessed value of other properties in the area, her property should be valued at \$150,000. Complainant is not an appraiser, is not trained in making adjustments to the value of property for differences in amenities, age, location and time of sale.

Complainant testified that she and her husband purchased the property in June of 2020 for \$175,000. Prior to the purchase, the property was valued for assessment purposes at less than \$100,000 but the value was increased after the sale and was, therefore, in 2022, one of the highest

assessed properties in the area. The issue with that is that the relative level of assessment of the properties is not consistent as some of the properties in the area that are comparable to the subject property are valued much lower than the subject property; with the maximum 15% increase allowed in residential properties in Jackson County, the subject property will be valued higher than the other properties in the area for the foreseeable future.

4. Respondent's Evidence. Respondent presented the following Exhibits, all of which were received without objection:

Exhibit #	Description
1	2023 Reassessment Notice (Notice of Value)
2	2025 Reassessment Notice (Notice of Value)
3	Certificate of Value 2020 for \$185,000
4	BOE Decision \$185,000
5	Property Photo
6	Property Record Card
7	System Comparable Sales
8	Subject MLS Listing 2020

Respondent presented the testimony of Daniel Gooden, a certified appraiser in the State of Missouri who works in the Assessment office of Jackson County. The testimony of Mr. Gooden is credible. The 2023 Reassessment Notice (Exhibit 1, referred to by the witness as the Notice of Value), valued the property at a TVM of \$197,490 with an assessed value of \$37,523. These values were amended in accordance with the STC Order setting the 2023 TVM at \$188,600. The 2025 Reassessment Notice (Exhibit 2, referred to by the witness as the Notice of Value), valued the property at a TVM of \$216,890. The BOE reduced the TVM set by the Assessment Office to \$185,000 as shown on Exhibit 4. Mr. Gooden had reviewed the value of the property, the comparable sales used by the CAMA system and stated that by reviewing sales of properties in the neighborhood of the subject property, he determined that the value of the properties in the neighborhood had increased by over 40% since 2020. All of this information and analysis

supported the current value of the property. Mr. Gooden also testified that there was no new construction or improvements to the property.

5. Value. The TVM of the subject property as of January 1, 2025, was \$185,000.

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).

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 her comparison of the condition of her property, sales in the area and the assessed values of other properties in the area. 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 condition of her property and that it is inequitable and unfair that other, similar, properties in her area are valued, for assessment, much lower than her property. Complainant had no analysis completed by someone trained in making adjustments to the value of property for differences in amenities, age, location and time of sale to show the deleterious effect of the differences in condition, location, time, amenities, and conditions of sale on the value of the subject property. Comparing assessed valuations is not a valid method for valuing a property in Missouri.

Neither Complainant's exhibit 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, 2025, was \$185,000.

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 Jackson 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 July 29, 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 July 29, 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