STATE TAX COMMISSION OF MISSOURI

CHRISTOPHER PADGETT,	)	Appeal No. 24-10319
	)	Parcel No. 19M530424
Complainant,	)	
	)	
v.	)	
	)	
JAKE ZIMMERMAN, ASSESSOR,	)	
ST. LOUIS COUNTY, MISSOURI,	)	
	)	
Respondent.	)	

DECISION AND ORDER

Christopher Padgett (Complainant) appeals the St. Louis County Board of Equalization's (Respondent) decision valuing the subject residential property at $972,000 as of January 1, 2024.[1] Complainant alleges overvaluation[2] and asserts the true value in money (TVM) of the subject property was $835,000 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, 2024, is $972,000.

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[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.

[2] Although Ms. Padgett mentioned "discrimination" during her testimony, no such formal claim of discrimination was made in Complainant's Complaint for Review. Therefore, no review of such claim is discussed in this decision.

The evidentiary hearing was held July 23, 2025, via Webex. Complainant appeared *pro se*. Respondent Jake Zimmerman, Assessor, St. Louis County, Missouri, was represented by counsel, Kevin Wyatt. Respondent filed a post-hearing brief on July 25, 2025, and Complainant submitted a post-hearing brief on August 2, 2025. 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 on a lot at 12 Dogwood Ln, St. Louis County. The Parcel ID number is 19M530424. The property includes four bedrooms and four and a half bathrooms. Complainant purchased the home in 2021 for $850,000. In 2023, Complainant performed a substantial remodel of the home totaling over $500,000.

2. Assessment and Valuation. Respondent determined the subject property's appraised value was $1,033,100 as of January 1, 2024. The BOE independently determined that the subject's appraised value as of January 1, 2024, was $972,000.

3. Complainant's Evidence. Complainant did not submit any exhibits for consideration at the hearing. The record was left open, and post-hearing Complainant submitted the following Exhibits which are admitted into the record:

Exhibit	Description
A	Home Inspection report for the subject property dated August 26, 2021
B	Service Invoice from Hoffmann Brothers for furnace in subject property

Complainant and his wife Sandra Padgett testified. Ms. Padgett testified that Respondent overvalued the subject for several reasons, including but not limited to:

- The comparable properties used by Respondent were not appropriate because they had lower appraised values than the subject yet have better amenities and are in better condition than the subject.[3]
- Respondent ignored other recent comparable sales and the subject was assessed at a higher rate than neighboring properties. In 2024, the median appraised value of homes on Dogwood Lane (#4–20, excluding #12) was $805,400.
- The lot for the subject property is irregular and includes a power line easement which both negatively affects the resale value.

Ms. Padgett also testified that neither Complainant nor she was given notice of their rights to an interior inspection of the property. She stated that no new construction occurred for the subject property prior to the assessment date. Rather, she testified that in 2023 she and her husband remodeled the home, including renovating the kitchens and bathrooms, replacing the windows, and the addition of a screened in porch but no added square footage of living space. Ms. Padgett testified that although they purchased the home off-market in 2021 for $850,000, that price was inflated do to scarcity of real estate for sale during the COVID-19 pandemic. Even so, the property was sold to them by an elderly lady who had performed no updates to the property for many years.

[3] Complainant summarized these features and condition in p. 2 of the post-hearing brief he filed.

During cross examination, the Padgetts admitted they performed about $500,000 worth of remodeling updates to the subject in 2023. Neither Complainant nor Ms. Padgett are licensed realtors in Missouri.

3. Respondent's Evidence. Respondent introduced Exhibit 1, consisting of the September 13, 2024, BOE decision letter for the subject property. Exhibit 1 shows the BOE valued the subject property at $972,000. Respondent also offered Exhibit 2, a business record of Respondent showing permits obtained for the subject in 2023 for $25,950 and $516,200. The Exhibits are admitted into the record.

4. Value. The TVM of the subject property as of January 1, 2024, was $972,000.

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).

"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.

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

Complainant did not produce substantial and persuasive evidence to support his $835,000 opinion of 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 and Ms. Padgett offered testimony regarding their critical opinion of Respondent's comparables used. While Complainant testified to and listed and described other properties in his brief he believes to be more comparable to the subject than those used by Respondent, Complainant did not offer any evidence making market-based adjustments to such sales prices accounting for differences in the properties' characteristics, conditions, and market conditions at the time of sale. No appraisal of a licensed appraiser was submitted.

Complainant testified that less desirable features of the subject negatively affect the value of the subject. However, Complainant offered no evidence actually quantifying alleged adverse value these would have (if any) on the value of the subject as of January 1, 2024. Exhibit A, the home inspection report, is dated in 2021. Presumably, many of the condition issues outlined in that report had been remedied in Complainant's 2023 remodel. Complainant offered no professional analysis completed by someone trained to analyze lot structure or easement presence to show the deleterious effect those had on the property on the assessment date, January 1, 2024. As a non-professional in the appraisal industry, Complainant's lay opinion is therefore speculative and not persuasive. 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" <u>on the assessment date</u>***. *Hermel, Inc. v. State Tax Commission*, 564 S.W.2d 888, 897 (Mo. banc 1978). Emphasis added.

<u>No Claim of Lack of Inspection under Section 137.115, RSMo, in Complainant's Complaint for Review</u>

Ms. Padgett testified that their rights regarding requesting an internal inspection were not made known to them, and that Respondent at no time made an internal physical inspection. To the extent Complainant is arguing Respondent's assessment from the previous tax cycle is limited to a 15% increase from the 2023 assessment under Section 137.115, RSMo, such a claim was not properly lodged in Complainant's Complaint for Review (C4R) as grounds for the appeal.[4]

Even if Complainants had alleged such a claim, it fails here because the 2024 assessment increase was due to new construction. Section 137.115 requires assessors to "annually assess all real property, including any new construction and improvements to real property" at the applicable percentage of true value in money. Section 137.115.1. The statute establishes a two-year assessment cycle in which assessed values determined as of January 1 of each odd-numbered year carry over to the following even-numbered year, but

[4] The only box checked in the C4R was "Overvaluation."

it carves out an exception: "new construction and property improvements . . . shall be valued as though they had been completed as of January first of the preceding odd-numbered year." *Id.* Additionally, Section 137.115.10 specifically exempts increases attributable to "new construction or improvements" from the 15% threshold that otherwise triggers a mandatory physical inspection before an assessor may raise a parcel's assessed valuation;

> Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

Here, Respondent proved through Exhibit 2 (building permits) and the Padgetts' testimony (whereby they admitted to renovation work in 2023), that new construction occurred immediately prior to the 2024 assessment. Ms. Padgett testified that no new construction was performed because renovations do not constitute "new construction" under the statute. "New construction" is not defined in Section 137.115. However, the STC has issued rulemaking regarding Section 137.115 stating that new construction *or* property improvements ("any change to the physical characteristics of the property") shall be considered for purposes of Section 137.115. *See* Missouri Code of State Regulations 12 CSR 30-3.001. Therefore, $500,000 of remodeling physical changes to the subject property constitute new construction for purposes of Section 137.115.

CONCLUSION AND ORDER

The BOE decision is affirmed. The TVM of the subject property as of January 1, 2024, is $972,000.

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 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 August 7, 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 August 7th, 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