STATE TAX COMMISSION OF MISSOURI

HOLLY WALTER,	)	
	)	
Complainant(s),	)	
	)	Appeal No. 25-47001
v.	)	
	)	
MARTY McGUIRE, ASSESSOR,	)	
CAMDEN COUNTY, MISSOURI,	)	
Respondent.	)	

DECISION AND ORDER
MODIFYING ASSESSMENT FOR 2022 AND
DETERMINING NO TAX LIABILITY FOR 2023

Holly Walter (Complainant) appealed the valuation of the subject personal property, specifically, a 2020 Jeep Cherokee (2020 Cherokee), determined by the Camden County Assessor (Respondent). Complainant appealed her 2022 and 2023[1] assessments to the Camden County Board of Equalization (BOE) and subsequently appealed to the State Tax Commission (STC) after receiving a decision from the BOE dated July 22, 2025.

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[1] In one of the documents submitted to the Camden County Board of Equalization, Complainant referenced "Parcel 00-127174 (**2023 & 2024**). She also said that she did not live in the state of Missouri "on January 1st in **2023 or in 2024**." However, the tax bills that she submitted were for **2022 and 2023** and in her Appeal Form submitted to the BOE, she referenced **2022 and 2023 only**, and not 2024. Therefore, this Decision and Order applies to tax years 2022 and 2023 only, and not 2024, because an appeal to the State Tax Commission for 2024, not having been appealed to the BOE, was due to be filed with the Commission within 30 days after the date of the 2024 tax bill or December 31, 2024, whichever date was later. This appeal bears a 2025 appeal designation only because Complainant filed her appeal in 2025 and because she did not specify in her Complaint for Review which tax years she was appealing.

Complainant challenged both valuation and the Respondent's authority to assess personal property tax on her subject property in 2022 and 2023. Complainant also claims the decision to tax the subject property is arbitrary. For the reasons stated below, Complainant proved by a preponderance of the evidence that the subject property was not located in Missouri in 2023 and, therefore, was not subject to taxation in 2023. She did not prove by a preponderance of the evidence that the subject property was not located in Missouri in 2022. She did not provide substantial and persuasive evidence establishing overvaluation in 2022.[2] Complainant and Respondent participated in the hearing via Webex.

Subject Property

The subject property is a 2020 Jeep Cherokee.

Respondent and BOE

Respondent determined the assessed value of the subject property was $4,350 on January 1, 2022, and $3,950 on January 1, 2023. These assessed values imply true values in money of $13,051 and $11,851, respectively.

The Board of Equalization independently considered this matter and affirmed the Respondent's assessments.

Complainant's Evidence

Complainant submitted the following Exhibits:

Exhibit	Description	Ruling

[2] 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, Section 14; section 138.430.1, RSMo 2000. All statutory citations are to RSMo 2000, as amended.

A	Pdf entitled 'Complainant Exhibit,' this Pdf contains the lease, letter of employment, BOE Decision Letter, MODOT affidavit, Jackson County revenue form, and applicable tax bills.	Admitted

Complainant testified that the Respondent's tax bills are improper for the years 2022 and 2023 because "I was not in the state at all during those two years." Complainant provided a lease from a Florida residence and a letter of employment from a Florida employer as proof of her residence outside of Missouri. *See Exhibit A.* Complainant testified that the location of her personal property should dictate how and where she is responsible for applicable taxes. Complainant testified regarding a revenue form from Jackson County, Missouri that permits taxpayers to report a change of address for personal property to support her argument. *See Exhibit A.* Complainant further testified that the Missouri Department of Transportation provides a form affidavit that permits commercial motor carrier services to affirm that their vehicles have not accrued any miles within Missouri during the applicable time frame to support her argument. *See Exhibit A.* Complainant contends that this affidavit proves that Missouri does not approve of taxing personal property when the vehicle is only operated outside of Missouri's boundary. Additionally, she submitted a printout from Kelley Blue Book dated December 3, 2024 showing a KBB auction value of $9,635. *See Exhibit A*.

Upon cross examination Complainant testified that she had just gotten the tags on the subject property renewed one month prior to departing for Florida. Complainant testified that the registration did not expire during her residency outside of Missouri.

Complainant also testified that her insurance rates were based upon where she physically resided; however, Complainant never paid any governmental fees or taxes associated with the subject property to any state other than Missouri. Lastly, Complainant challenges the penalties she was charged on her tax bill.

Respondent's Evidence

Respondent submitted the following Exhibits:

Exhibit	Description	Ruling
1	Vehicle Registration of Subject Property in Missouri from 2022-2025	Admitted

Marty McGuire (Respondent), Assessor of Camden County, testified that the Complainant registered the subject personal property from 2022 to 2025 using an address in Camden County, Missouri. *See Exhibit 1.* Respondent testified that the Complainant's use of an address from Camden County Missouri for registration of the subject property and reliance upon the tags from the state of Missouri during the applicable taxing time frame justify taxing the subject personal property as opposed to waiving tax liability. *See Exhibit 1.* Respondent stated during his opening statement that the Respondent generated tax bills for the taxable years in dispute when the Complainant sought a waiver. Respondent also testified that the penalties occurred because the taxes were not paid prior to December 31st of the applicable tax year.

Complainant's evidence indicates that she moved to Florida in December, 2022 where she stayed with a friend and, on March 28, 2023, moved into an apartment in Florida where she continued to reside until her lease expired on February 29, 2024. Complainant was employed in Florida from January 15, 2023 through January 28, 2024. *Exhibit A.*

Complainant informed the BOE that she returned to Missouri in July, 2024. *Exhibit A.*

The Camden County BOE issued a decision on July 22, 2025 indicating its agreement with the Assessor's "classification." There is no reference in the BOE decision to the Assessor's *valuation* of the subject property.

Assessment and Valuation Principles

Pursuant to Article X, Sections 4(a) and 4(b), Mo. Const. of 1945 real property and tangible personal property is assessed at its value or such percentage of its value as may be fixed by law for each class and for each subclass. Article X, Sections 4(a) and 4(b), Mo. Const. of 1945. Personal property is assessed at 33.33% of its true value in money as of January 1 of each year. Section 137.115.5. Pursuant to Section 137.115.9 "[t]he assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of the motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the vehicle without performing a physical inspection of the motor vehicle. …".

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). The hearing officer "may inquire of the owner of the property or of any other party to the appeal regarding any matter or issue relevant to the valuation, subclassification or assessment of the property." Section 138.430.2.

Personal property tax is levied by the jurisdiction which is the tax situs of the property. *Bi Go Markets, Inc. v. Morton,* 843 S.W.2d 916, 920 (Mo. S. Ct. 1992). Determining which jurisdiction serves as the proper tax situs requires analyzing if the subject personal property derives substantial opportunity, benefits, and protections from the jurisdiction alleged as the tax situs. *Id.* Personal property must have a continual presence or habitual enjoyment within a jurisdiction to be an appropriate tax situs of the property. *Id.* The taxpayer has the burden of establishing which jurisdiction(s) have the authority to tax personal property. *Id. at* 917-918.

Complainant's Burden of Proof

The Complainant bears the burden of proving the vital elements of the case, i.e., the assessment was "unlawful, unfair, improper, arbitrary or capricious." *Westwood Partnership*, 103 S.W.3d 152 (Mo. App. E.D. 2003); Daly v. P.D. George Co., 77 S.W.3d 645 (Mo. App E.D. 2002); *Reeves v. Snider*, 115 S.W.3d 375 (Mo. App. S.D. 2003); *Industrial Development Authority of Kansas City v. State Tax Commission of Missouri*, 804 S.W.2d 387, 392 (Mo. App. W.D. 1991). The taxpayer's evidence must be both "substantial and persuasive." *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*, 722 S.W.2d at 77 (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").

Complainant Proved that the Subject Property Was Not Taxable in Missouri in 2023.

Complainant proved by substantial, persuasive and credible evidence that Missouri was not the tax "situs" of the subject property in 2023. The evidence shows that she moved to Florida in December, 2022 with the intent to remain indefinitely for employment and other purposes, and that she resided in Florida continuously until at least February 29, 2024. She did not return to Missouri until July, 2024. Thus, the vehicle was not located in Missouri on the relevant valuation date of January 1, 2023, nor during the entirety of 2023. "Situs", or location of a personal motor vehicle owned by a natural person, determines where the property is taxable. Taxability is not determined by where the vehicle is registered. As both the United States and Missouri Supreme Courts have explained, a person's due process rights are violated when government assesses property tax against property that is not located in the state. See *Bi Go Markets, Inc. v. Morton,* 843 S.W.2d 916, 920 (Mo. S. Ct. 1992) and cases cited therein. Location, not registration, is the determining factor.

Complainant Failed to Prove that the Subject Property Was Not Taxable in Missouri in 2022.

Complainant did not move from Missouri to Florida until December, 2022. Presumably, the subject property was located in Missouri on the relevant valuation date of January 1, 2022 and for the next 11 months of the year, until December. A property need not be located within a state the entire tax year in order to be taxable. Complainant's testimony that she was not in the state at all is not credible. Clearly, as of January 1, 2022 and for the next 11 months, the subject property was located in Missouri and was subject to taxation that year.

Valuation

The 2022 tax bill shows valuation of $4,350. Presumably, this refers to assessed value and not market value. Because personal property is assessed at 33 1/3% of market value, the tax bill implies a market value of $13,051 as of January 1, 2022 for the Jeep Cherokee.

Ordinarily, when an assessment is first appealed to the county BOE, a presumption attaches that the BOE decision is correct. In this case, the BOE addressed only *classification* of the property, but not *valuation*. Therefore, there is no presumption of correctness in this case pertaining to property valuation. Neither did Respondent submit any evidence that would justify a market valuation of $13,051.

However, this is not the end of the inquiry. As explained above, by statute, motor vehicles are to be valued using the National Automobile Dealers' Association Official Used Car Guide, or its successor publication. Complainant submitted evidence as to valuation, but that evidence was not from NADA – it was from Kelley Blue Book. *Exhibit A*. Thus, neither party presented evidence as to valuation that complies with Missouri law.

Consequently, the hearing officer must decide the case based upon the evidence that was submitted.

Because the Respondent submitted no evidence to support valuation and because the BOE did not make any decision regarding valuation, Complainant's evidence regarding valuation is accepted as proof of true value in money of the subject property as of January 1, 2022. That evidence indicates total value without mileage of $14,518 for a vehicle in fair condition, with a deduction for mileage, netting a "KBB Auction Value" of $9,635. In the complete lack of absence of any evidence from the Respondent to the contrary, this hearing officer finds that the true value in money of the subject property on January 1, 2022 was $9,635, with an assessed value of $3,211.

Other Interest and Fees

Complainant disputes the additional assessment of $84.86 on her 2022 tax bill for Other Interest and Fees because she paid her tax bill less than 48 hours after receiving the bill. However, Complainant was required by law to report the vehicle to the Camden County Assessor in early 2022, and if she had, in the ordinary course of affairs, she would have received her tax bill in late 2022 and would have had the opportunity to pay it on time before the December 31, 2022 due date. That a tax bill was first generated in 2024 when she came in seeking a tax waiver for 2022 and 2023 tends to indicate that Complainant failed to declare her property in 2022. In any event, Complainant has not carried her burden of proof sufficient to establish that Camden County should not have assessed Other Interest and Fees for 2022.

CONCLUSION AND ORDER

The assessed value of the 2020 Jeep Cherokee as of January 1, 2022 is MODIFIED from $4,350 to $3,211. Complainant's tax liability must be reduced accordingly.

The 2020 Jeep Cherokee is ordered to be removed from the Camden County assessment roll for 2023 because the property was not located in Missouri on January 1, 2023, nor for the remainer of the year. There is no tax liability for 2023. All taxes, interest and fees paid for 2023 are to be refunded to Complainant.

Application for Review

A party may file with the Commission 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, 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 Camden County, as well as 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 said taxes have been disbursed pursuant to a court order under the provisions of section 139.031.

So ordered September 15, 2026.
STATE TAX COMMISSION OF MISSOURI

Samuel Knapper
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 September 18th, 2026, to:

Complainant(s) and/or Counsel for Complainant(s), the County Assessor and/or Counsel for Respondent, and County Collector.

Stacy Ingle
Legal Coordinator