STATE TAX COMMISSION OF MISSOURI

KAMRAN NAWAZ,	)	
	)	
Complainant(s),	)	
	)	Appeal No. 25-78000
v.	)	
	)	
TIM KEAN, ASSESSOR,	)	
PHELPS COUNTY, MISSOURI,	)	
Respondent.	)	

DECISION AND ORDER

Kamran Nawaz (Complainant) appealed the valuation of the subject personal property, specifically the 2013 Hyundai Sonata Sedan 4D SE (Sonata), determined by Tim Kean, Assessor, Phelps County, Missouri (Respondent). Complainant appealed to the State Tax Commission (STC) after receiving notification of the valuation upon receiving the 2025 tax bill. Respondent determined the true value in money of the subject property to be $5,757.57 for the 2013 Sonata. Complainant claimed overvaluation but did not produce substantial and persuasive evidence establishing overvaluation; however the hearing produced substantial and persuasive evidence to modify the true value in money of the subject property as of January 1, 2025.[1] Complainant participated via Webex.

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

Subject Property.

The subject property is a 2013 Sonata.

Respondent and BOE.

Respondent determined the value of the subject property on January 1, 2025, was $5,757.57 for the 2013 Sonata. Respondent used the October, 2024 issue of Price Digest.

Complainant's Evidence.

Complainant submitted the following Exhibit:

Exhibit	Description	Ruling
A	Pdf prepared by Complainant titled "Personal_Property_Appeal"	Admitted

Complainant testified that the Respondent's valuation exceeds the value of the subject property based upon the condition and mileage of the 2013 Sonata. Complainant testified that he was surprised that his car was valued at approximately $6,000 and believed the valuation to be approximately $2,000. Complainant based his opinion of value on the mileage and condition of his car. Complainant testified the 2013 Sonata was involved in an accident on December 27, 2023 and he displayed an estimate from his auto insurance carrier for a repair of $3,627.60. Complainant elected to not repair the subject property with the insurance payout. Complainant did not describe the damage to the 2013 Sonata from this accident during his testimony. Complainant testified that the 2013 Sonata was involved in another accident and he displayed an estimate for repairs of $3,940.44 related to the damage. Complainant did not elect to have this repair performed either. Complainant also testified that the 2013 Sonata was additionally struck from behind but that the driver of the other vehicle did not have insurance. Complainant went to the police after leaving the scene of the accident, but they would not write an accident report since they were not notified when the accident occurred. Complainant wrote that the current mileage of the subject property is 187,600. *See Exhibit A.* He also displayed a mileage reading of 171,385 from Walmart (where the 2013 Sonata receives oil changes) on August 24, 2025 during his testimony.

Complainant referred to valuations from Kelly Blue Book and the National Automobile Dealers Association (NADA) during his testimony and displayed slides of information. He testified that his opinion of value is supported by an approximate value of $1,250 from NADA (see the 14:00 mark of the hearing) and $2,385 from Kelly Blue Book (see the 14:37 mark of the hearing).

Respondent's Evidence.

Respondent submitted the following Exhibits prior to the hearing and introduced one through four during the hearing:

Exhibit	Description	Ruling
1	Account History Report (County Record)	Admitted
2	Account Notes related to Complainant	Admitted
3	Complainant’s Paid Personal Property Tax Receipt	Admitted
4	Price Digest vehicle information as of October 1, 2024 corresponding to the 2013 Hyundai Sonata with the Complainant’s VIN	Admitted
5	J.D. Power Information as of October 1, 2024 corresponding to the 2013 Hyundai Sonata	Judicial Notice[2]

[2] Respondent submitted this exhibit in compliance with the Scheduling Order but elected not to introduce it as proof. The Hearing Officer took Judicial Notice of the Exhibit and placed it on the record. Respondent

Tim Kean (Mr. Kean), Assessor of Phelps County, testified that Respondent utilized the wholesale value from the October 1, 2024 Price Digest indicated for the 2013 Sonata and it was $8,143. *See Exhibit 1.* Mr. Kean testified that he changed the trim package from a 2013 Hyundai Sonata Limited to an SE which resulted in a lesser valuation. Mr. Kean testified that the Complainant had an opportunity to present this information to the County prior to the appeal but elected not to. Mr. Kean testified that it would be impossible for the Assessor's office to perform an individual appraisal on each vehicle; consequently, Phelps County does not take mileage or condition into consideration when assessing personal property because they rely upon a mass appraisal system. Mr. Kean testified that the only exception is when a vehicle has a salvaged title, which results in the valuation being halved. Mr. Kean testified that every taxpayer receives the same treatment for valuation of personal property, which is the wholesale value contained in Price Digest (with the exception for salvage title).

Mr. Kean testified he rarely modifies the valuation of personal property; however, one such modification happened when a taxpayer bought a vehicle from a local reputable dealer which was less than the county valuation. Mr. Kean testified that the valuation was lowered because the recent sale price from a local reputable dealer would be the best indication of market value.

(Assessor Kean) presented an argument that the applicable statute reads that the JD Power valuation is recommended as opposed to required and should only be applied accordingly.

Mr. Kean also testified that the wholesale value contained in *Exhibit 4* is significantly higher than the market value utilized by the Respondent of $5,757. Mr. Kean testified that this occurred somewhere in the process of transferring data from Price Digest into the Respondent's valuation system. Mr. Kean testified that he assumes the lower valuation occurred from an average value of lower trim packages available for the subject property. Mr. Kean testified that it is important to note that the Respondent's valuation is below the Price Digest wholesale value.

Mr. Kean also testified that he attained *Exhibit 5* from a fellow Assessor with access to JD Power valuations. Mr. Kean procured this prior to the hearing but did not think it was necessary after presenting the Respondent's case.

The Hearing Officer took Judicial Notice of *Exhibit 5* because the valuation of $3,950 is from the National Automobile Dealers' Association Official Used Car Guide or its successor publication pursuant to Section 137.115.9.

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.

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").

The Hearing Record Contains Substantial and Persuasive Proof of Overvaluation.

Complainant did not individually prove overvaluation based upon the condition and the mileage of the subject property. His testimony failed to provide substantial and persuasive evidence of the condition because he did not establish a foundation of the impact of the collisions upon the value of the 2013 Sonata. Complainant's reliance upon third party documents (estimates from slideshow during direct testimony) did not provide evidence of the damage the 2013 Sonata sustained. The pictures contained in *Exhibit A* also do not show the extent (either large or small) that the collisions had on the vehicle. Also, the valuations from Kelly Blue Book and NADA presented during the Complainant's direct testimony are not dated; consequently, they are not relevant.

The testimony of Respondent's witness, Mr. Kean, also failed to provide substantial and persuasive evidence of the value of the 2013 Sonata. Mr. Kean's testimony provided a sound basis for relying upon the wholesale value contained in Price Digest; however, the Respondent's valuation does not align with the wholesale value. The lack of specificity for the 29% deviation from the wholesale value of Price Digest to the Respondent's final value for the 2013 Sonata ($8,143 to $5,757) provides little evidence upon which to rely upon in determining the true market in value of the subject property.

Exhibit 5 contains evidence that is substantial and persuasive in determining the true value in money of the subject property on the relevant date using the method prescribed by law. Mr. Kean correctly argues that county assessors are not required to utilize JD Power valuations; however, in this case the JD Power valuation is the best evidence of true value in money for the 2013 Sonata based upon the reasoning above.

CONCLUSION AND ORDER

The true value in money of the 2013 Sonata as of January 1, 2025 was $3,950 with an assessed value of $1,316, rounded.

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 Phelps 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 August 27, 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 4, 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