

The Pioneer of Pre-Sale Disclosures: How Malin Giddings Built a \$4 Billion Portfolio through Innovation and Customer Care

Compass San Francisco real estate agent Malin Giddings has built a tightly-focused empire: Over the last 40 years, she's worked exclusively in the area north of California Street in the city, becoming the go-to expert for buyers and sellers of luxury properties in an extremely high-demand market.



What has kept Giddings' practice on the top of the pack isn't just location, though. She developed an incredible portfolio of \$4 billion in residential sales on a reputation for toughness, fairness and a hands-on advisory approach for all of her clients—she's accomplished this in part by creating innovative transaction processes that maximize her clients' time and her own.

"Today, the clients we deal with and almost all over the nation, they are very busy people. They are younger, more overwhelmed. So you need to be very respectful of their time and get right to the point. Time is very often a commodity that is more precious than money," said Giddings.

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One of her most strategic moves? Pioneering the use of comprehensive property disclosure packages during the pre-sale process, a growing practice among today’s most forward-thinking agents.

When Giddings first began working in the real estate market, agents facilitated offers and negotiations for their clients well in advance of property inspections. Once an offer was accepted, the Listing Agent would then provide the Buyer’s Agent with additional property documentation, such as seller disclosures, natural hazard reports and more. The introduction of new information left a huge margin for error and renegotiation. Giddings recalls how sellers, agents, and buyers would all remain on pins and needles during escrow waiting to see what potential issues may be unearthed from buyers’ inspections.

“I remember how nervous one always was to present things properly so that they didn’t create an adversarial position,” she recalled.

On top of that, trying to get paperwork physically signed in a timely manner caused constant stress in the days before digital signatures. Giddings worked around the clock on an

endless document chase that took up valuable time and derailed transactions.

“Twenty years ago, I used to drive around, and in the trunk of my car, I had purchase contracts that were already pre-signed. Part of my biggest problem in those days was to get in front of the buyer and seller in a timely manner. You could miss a house if you went to the hairdresser at the wrong time! You had to get a hold of them at midnight with pen in hand. It was a nightmare!”

Knowing that time was so important to both her clients and her own efficiency, Giddings saw an opportunity to change the way that transactions were done by offering a more comprehensive understanding of the property upfront before offers were submitted.

To cut down on the possibility of costly re-negotiations or credit-backs, Giddings began compiling and sending pre-sale disclosure packets to all buyer’s agents interested in a listing. These packets included a simple cover letter, seller disclosures and inspections, such as the pest and contractor’s inspection reports. Providing all of the details about a property’s condition at the very start of the process, before accepting offers, was a game changer.

“If you don’t provide disclosures up front, it leaves so many questions open-ended. I basically used my common sense and said, ‘Why don’t we do this ahead of time so everybody signs off on it and there’s not this fear after 14 days of inspections and contingency removals?’” she said.

At a time when agents spent their days (and often nights) racing the clock, providing pre-sale disclosures and facilitating inspections funded by the seller was a novel move. Yet, Giddings' sellers immediately jumped on board, recognizing that paying for pre-sale inspections was a drop in the bucket compared to the possible contingencies removals and concessions they'd have to make during escrow.

Other agents quickly followed her lead, and Giddings' use of disclosures rapidly grew as a standard practice among agents in the Bay Area. The new transaction process enabled potential buyers to bring much more informed, competitive offers and reduced the stress for agents on both sides of the table.

"I have no difficulty selling this concept to sellers. It leaves everyone so up about the deal and so informed. This is the reason I think agents jumped on the bandwagon after we started it," she said.

Today, property information packets have evolved to include seller disclosures, pre-sale inspections as well as marketing materials, floor plans, hazard reports, and more. Using paper or PDFs, these pre-sale disclosures can be massive files ("Three inches thick for a condo!" Giddings joked.) Instead of printing or email massive files over and over again, Giddings' office uses a combination of DocuSign and Disclosure.io to simplify the transfer, use, and approval of property packages and offers between all parties.

With these technologies in place, Giddings' support staff can now digitally compile property disclosure packets, instantly

share them with buyers' agents and manage communication with all interested parties in one online system.

Barbara Troast, Giddings' assistant, notes, "I save a few hours on putting it together. I get a lot of peace of mind that when we add a new disclosure, it automatically updates all the parties so I don't have to worry that I may have forgotten to send something to one of the interested parties. It's great to have everything in one place and so easy to share it with others."

By maintaining an efficient transaction process, Giddings can spend more time advising and educating her clients on the dynamics of the market.

Keeping buyers and sellers deeply informed throughout the entire lifecycle of homeownership requires time—something clients have very little of to spare these days.

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In the past, Giddings' biggest challenge may have been simply getting in touch with clients to submit and sign offers at critical moments; today, modern buyers have even less time to research how the market aligns with their expectations in a property from the very start of the home buying process.

"You need to educate the client to what the market will bear and provide for them. That's part of the service. Everything is new. You can be smart in the tech industry, but buying a house is scary!"

For an expert and innovator like Giddings, saving time with pre-sale disclosure packets is a crucial step as the real estate profession continues to transform agents from sales-based negotiators to trusted advisors.

“It’s huge. I have much more time to focus on what makes the difference for a client. I always say that an informed buyer is a strong buyer because then they dare to go all out. If there are danger signs, your offer will reflect that. If not, it’s a strong offer by an informed client,” said Giddings. “Clients are informed and they are becoming partners in the search. It’s an education. I have to say, honestly, Sellers’ disclosure packages are vital to this industry. It should be used all over the nation.”