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Pianist crushed in Allston restaurant facade collapse sues

By [Matt Rocheleau](#) and [Dugan Arnett](#) Globe Staff, May 20, 2019, 2:29 p.m.

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The aftermath of the facade collapse on Nov. 4, 2018 Pat Greenhouse/Globe Staff

An [aspiring concert pianist](#) who had a finger amputated and suffered other serious injuries after the facade of an Allston restaurant collapsed on her last fall is suing the business, the building's owner, and its property manager.

Sonya Bandouil, 23, was walking along a bustling Harvard Avenue sidewalk on a crisp, sunny Sunday afternoon in November when the facade of the Common Ground restaurant suddenly collapsed.

Heavy chunks of concrete rained down, burying Bandouil. She was hospitalized and in inpatient rehabilitation for months with a host of injuries, including a spinal fracture that required her to relearn to walk — though none was more devastating than her badly crushed right hand.

Bandouil lost a finger and underwent extensive surgical reconstruction in an effort to repair the rest of her hand, the lawsuit says. Her dream of becoming a professional pianist and piano teacher is likely over.

“She suffered a debilitating permanent injury to her hand,” said her attorney, Anthony Tarricone of the Boston-based firm Kreindler & Kreindler. “Sonya has been working hard to get better. But she’s nowhere near the skill, proficiency, and elegance with which she played before.”



Sonya

Bandouil dreamed of playing the piano professionally. Craig F. Walker/Globe Staff/Globe Staff

The complaint, filed in Suffolk Superior Court Monday, claims the building’s owner, Moss Realty LLP; Newton-based property manager, Myer Dana and Sons; and the restaurant collectively failed to properly inspect and repair the facade, which “likely” had shown signs of decay for years.

“This building was in a seriously deteriorated condition and it posed a risk of injury to the public using the sidewalk,” Tarricone said.

The suit claims the building’s century-old [masonry ties](#), metal fasteners that hold bricks in place, were inadequate when they were first installed, weakening over time from exposure to the elements. Water penetration and years of repeated freeze-thaw cycles also crippled bonds between mortar and cement, the lawsuit says.

And the complaint alleges there was a critical flaw with how a sign for the Common Ground was designed and anchored to the building’s facade and parapet, the low wall along the front edge of the roof.

The sign, which was installed in 2009 but underwent more recent changes, “placed substantial strain on the integrity of the building’s facade and parapet whenever strong winds struck the sign,” the lawsuit says.

Strong winds and rain rolled through the area on the weekend of the collapse and the previous weekend.

The lawsuit’s conclusions surrounding the cause of the collapse align with previous assessments by [city officials](#) and an [analysis](#) structural engineers did in the days afterward.

The defendants in the lawsuit did not immediately respond to requests for comment Monday.

Two weeks after the collapse, the Globe [reported](#) how facades had fallen without warning from at least a half-dozen other Boston-area buildings in just the prior 15 months, sending heavy debris crashing onto sidewalks and raising questions about whether more steps should be taken to prevent such incidents.

“This was not an isolated incident,” said Tarricone. “It was an event waiting to happen.

“It points out a problem that’s really endemic with these older buildings, especially ones with these overhanging parapets,” he added.

Boston requires facade inspections on buildings 70 feet or taller every five years. But the single-story Allston building at 75-87 Harvard Ave. was shorter than the threshold. For such smaller buildings, it’s up to the owners to inspect their properties and make repairs when needed.

Tarricone said tighter regulations are needed.

Boston Inspectional Services Commissioner William Christopher Jr. said property owners are already held responsible by existing regulations.

“It’s a fundamental requirement in owning a piece of property — you have to maintain it in a safe condition,” Christopher said Monday.

He said the city would launch a public awareness campaign to remind owners about maintaining their properties, something he said most landlords “are very good about.” Christopher declined to comment on the litigation.

The falling debris also struck Bandouil’s boyfriend, Alex Pankiewicz, 25, who is also suing.

Their lawsuit seeks monetary damages, but doesn’t say how much, and Tarricone declined to specify.

Pankiewicz’s physical injuries were less serious, but he’s suffered “severe mental anguish, shock and trauma as the result of witnessing the collapse,” and “continues to struggle with nightmares

and panic attacks and continues to involuntarily relive the horrifying event he witnessed,” the suit says.

Bandouil, who was knocked unconscious, has told the Globe she doesn’t remember the collapse. She spent about three weeks at a Boston hospital, followed by another two months at a pair of nearby rehabilitation facilities. She continues to rehabilitate, using a cane to get around at times, Tarricone said.

She’s also suffered “severe emotional and mental trauma” from the extent of her injuries, including grappling with how she must now re-learn to play the piano without a critical finger and being told she’s unlikely to ever play as well as she used to, the lawsuit says.

As the Globe reported in February, Bandouil had wanted nothing more than to be a professional pianist. She began playing at age 5 in Texas, where she grew up. She went on to perform on stages from Dallas to Germany and attended the University of Houston’s Moores School of Music.

Just months before the collapse, she had moved to New York, where she found work at a pair of music studios teaching piano lessons and was invited to practice sessions with a local band. She had felt herself on the doorstep of her dream.

On that fateful weekend in early November, Bandouil and Pankiewicz were in Boston visiting a friend. They were strolling along Harvard Avenue, looking to grab lunch before taking a train back to New York, when they paused to look in a restaurant window.

There was a thunderous sound of crashing concrete and everything changed.

“It’s a real tragedy on many levels,” said Tarricone.

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